

Agenda

Environmental Protection Commission

December 16, 1996

10:00 AM

Wallace State Office Building, Fourth Floor Conference Room

Public Participation

10:30 A.M.

Agenda topics

1. Approve Agenda
2. Approve Minutes of ^{November 18} January 16, 1996
3. Director's Report Larry Wilson (Information)
4. Monthly Financial Status Report Stan Kuhn (Information)
5. Waste Tire Management County Grant Program Contracts Teresa Hay (**Decision**)
6. Monthly Reports Allan Stokes (Information)
7. Air Quality Program Status Update Allan Stokes (Information)
- ~~8. Registry of Hazardous Substance Disposal Sites and Hazardous Waste Remedial Fund Annual Report - 1996~~ Allan Stokes (Information)
9. Section 319 Nonpoint Source Pollution Control Project Contracts Allan Stokes (**Decision**)
10. Private Well Sampling and Abandonment Grants to Counties - FY 98 Allan Stokes (**Decision**)
11. Final Rule--Chapter 135, Underground Storage Tanks - Risk Based Corrective Action Allan Stokes (**Decision**)
12. Approval of Enforcement Action - Hennings Farm Corp Allan Stokes (**Decision**)
13. Proposed Contested Case Decision--A.J. DeCoster Allan Stokes (**Decision**)

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|-----|-----------------------------------|-------------------------|
| 14. | Referrals to the Attorney General | Allan Stokes (Decision) |
| | a) City of Lenox (Tabled) | |
| | b) Orville Long (Tabled) | |
| 15. | General Discussion | |
| 16. | Address Items for Next Meeting | |

**Next
Meeting
Dates**

January 21, 1997 (Tuesday)

February 17, 1997

March 17, 1997

ENVIRONMENTAL PROTECTION COMMISSION

Monday, December 16, 1996

NAME	COMPANY OR AGENCY	CITY
(PLEASE PRINT)		
Perry Beeman	Dm Register	Dm
Scott Yang	Bryan Cave	KC MO
Kristie Hirschman	CH/O	DSM
Amy Christensen	Sullivan + Ward	Dm
Jane McAllister	Ahlens Law Firm	DSM
BETH SHONTS	MWA	DSM
Tom Hadden	MWA	DSM
James Knaack	Metro Waste Authority	DSM
JERRY FLEBLE	BIRP	Waterloo
Rick Kelley	UHL	DSM
Cathy Woollus	MidAmerican Energy	Davenport
Helen Mahlen	Sierra Club	DSM
Jack Clark	Iowa Utility Assoc.	DSM
Ken + Regina Thiry		Waterloo
Mike + Pat Rottengrass		Waterloo
Raback Fuller	Lee Newspapers	Dm

RECORD COPY EPC Meeting
File Name ADM-1-1-1 December
Senders Initials JH. 1996

MINUTES
OF THE
ENVIRONMENTAL PROTECTION COMMISSION
MEETING

DECEMBER 16, 1996

WALLACE STATE OFFICE BUILDING
DES MOINES, IOWA

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MEETING MINUTES

CALL TO ORDER

The meeting of the Environmental Protection Commission was called to order by Chairperson King at 10:00 a.m. on Monday December 16, 1996, in the Wallace State Office Building, Des Moines, Iowa.

MEMBERS PRESENT

Verlon Britt
William Ehm
Rozanne King, Chair
Dean McWilliams
Charlotte Mohr, Secretary
Gary Priebe, Vice-Chair
Terrance Townsend
Rita Venner

MEMBERS ABSENT

Kathryn Murphy

Director Wilson stated that Kathryn Murphy called and said she is unable to attend the meeting due to a business conflict.

ADOPTION OF AGENDA

The following adjustments were made to the agenda:

- Delete: Item #8 - Registry of Hazardous Sites and accompanying Annual Report

Director Wilson noted that this report is not back from the printers, therefore, this item is being withdrawn.

Motion was made by William Ehm to approve the agenda as amended. Seconded by Terrance Townsend. Motion carried unanimously.

APPROVED AS AMENDED

APPROVAL OF MINUTES

Motion was made by Charlotte Mohr to approve the meeting minutes of November 18, 1996, as presented. Seconded by Terrance Townsend. Motion carried unanimously.

APPROVED AS PRESENTED

DIRECTOR'S REPORT

Director Wilson distributed Financial Disclosure Forms to the Commissioners and asked that they fill them out and return to the Iowa Ethics and Campaign Disclosure Board by April 1.

Director Wilson reported that the BioCycle Midwest Conference on composting and recycling was attended by 325 people and it was a very successful conference.

The Director noted that five of the Commissioners terms will expire in April 1997 and he will visit individually with each of those Commissioners today.

FINANCIAL STATUS REPORT - YTD DIVISION EXPENDITURES

Stan Kuhn, Division Administrator, Administrative Services Division, presented the following item.

Attached is the YTD division-level FY97 expenditure status report as of 11/30/96.

There are no significant changes in status as compared to last month's report.

DIRECTOR'S OFFICE/I&E BUREAU

EXPENSE CATEGORY	Actual FY96	Budget FY97	YTD Budget 11/30/96	YTD Actual 11/30/96	Under (Over)
PERS SERV	977,916	1,179,858	448,346	419,810	28,536
PERS TRV IN	32,944	55,114	18,188	16,651	1,537
STATE VEHICL	3,897	7,791	3,272	2,496	776
VEHICLE LEASE	8,220	12,640	5,309	3,465	1,844
PERS TRV OUT	11,348	12,946	4,272	4,946	(674)
OFF SUPPLY	75,192	79,500	26,235	36,619	(10,384)
FAC MAINT SU	3,197	13,000	4,290	2,779	1,511
EQUIP MAINT	3,638	6,850	2,261	372	1,889
OTHER SUPPLY	73,889	104,950	34,634	21,454	13,180
PRINT & BIND	293,328	349,044	59,337	75,501	(16,164)
UNIFORMS	1,442	2,150	710	209	501
COMMUNICATIO	26,777	29,800	9,834	9,127	707
RENTALS	4,470	3,700	1,221	2,078	(857)
UTILITIES	229	750	248	89	159
PROF SERV	33,296	50,060	16,520	5,548	10,972
OUTSIDE SERV	73,860	46,619	15,384	28,756	(13,372)
ADVER PUB	0	5,000	1,650	0	1,650
DP-MAINFRAME	4,746	13,350	4,406	743	3,663
REIMBURSEMENT	796	525	173	300	(127)
EQUIPMENT	39,413	41,600	16,640	7,328	9,312
EQUIP NONINV	3,374	5,167	2,067	2,684	(617)
OTHER	551	2,650	875	260	615
	1,672,523	2,023,064	675,869	641,215	34,654

ADMINISTRATIVE SERVICES DIVISION

EXPENSE CATEGORY	Actual FY96	Budget FY97	YTD Budget 11/30/96	YTD Actual 11/30/96	Under (Over)
PERS SERV	3,579,613	3,864,278	1,468,426	1,374,439	93,987
PERS TRV IN	45,609	55,750	18,398	12,500	5,898
STATE VEHICL	56,635	56,000	23,520	44,660	(21,140)
VEHICLE LEASE	69,430	79,500	33,390	28,520	4,870
PERS TRV OUT	6,519	12,000	3,960	2,369	1,591
OFF SUPPLY	342,869	340,200	112,266	94,642	17,624
FAC MAINT SU	1,150	15,500	5,115	276	4,839
EQUIP MAINT	48,882	52,000	17,160	18,212	(1,052)
OTHER SUPPLY	8,190	10,400	3,432	1,865	1,567
PRINT & BIND	23,443	23,500	7,755	8,571	(816)
UNIFORMS	3,464	3,000	990	552	438
COMMUNICATIO	108,666	117,100	38,643	30,809	7,834
RENTALS	1,008	500	165	0	165
PROF SERV	52,227	70,000	17,500	0	17,500
OUTSIDE SERV	81,237	64,500	21,285	41,408	(20,123)
ADVER PUB	528	500	165	145	20
DP-MAINFRAME	44,724	52,800	17,424	10,163	7,261
AUDITOR REIM	171,789	175,000	57,750	62,154	(4,404)
REIMBURSEMENT	156,555	152,750	50,408	38,295	12,113
EQUIPMENT	207,600	175,100	70,040	59,685	10,355
EQUIP NONINV	11,726	6,000	2,400	4,149	(1,749)
OTHER EXP	7,750	63,732	21,032	31	21,001
	5,029,614	5,390,110	1,991,222	1,833,445	157,777

Note: The overage in State Vehicle operations relates to payment of federal gas taxes for the DNR. These payments will be refunded to the DNR and the expenditure reduced. The overage in Outside Services relates primarily to the hiring of contract workers in lieu of or to supplement state staff. This is more than offset by corresponding decreases in salary expenditures due to vacancies.

PARKS, PRESERVES AND RECREATION DIVISION

EXPENSE CATEGORY	Actual FY96	Budget FY97	YTD Budget 11/30/96	YTD Actual 11/30/96	Under (Over)
PERS SERV	4,503,676	4,692,353	1,783,094	1,757,163	25,931
SEASONAL WORKERS	1,361,773	1,330,264	811,461	825,553	(14,092)
PERS TRV IN	74,702	73,050	24,107	15,536	8,571
STATE VEHICL	193,493	201,300	84,546	124,839	(40,293)
VEHICLE LEASE	249,875	298,400	125,328	108,450	16,878
PERS TRV OUT	4,946	6,200	2,046	3,930	(1,884)
OFF SUPPLY	43,613	44,000	14,520	12,166	2,354
FAC MAINT SU	567,338	513,830	226,085	275,941	(49,856)
EQUIP MAINT	386,151	342,000	150,480	161,427	(10,947)
AG CONS SUPP	27,246	34,500	15,180	7,159	8,021
OTHER SUPPLY	45,807	40,600	17,864	12,867	4,997
PRINT & BIND	65,367	32,500	10,725	2,218	8,507
UNIFORMS	37,039	34,577	20,746	18,786	1,960
COMMUNICATIO	100,133	111,000	36,630	42,260	(5,630)
RENTALS	41,037	42,550	18,722	25,288	(6,566)
UTILITIES	473,985	454,000	199,760	194,347	5,413
PROF SERV	53,409	51,784	17,089	5,672	11,417
OUTSIDE SERV	227,655	206,500	90,860	105,430	(14,570)
ADVER PUB	1,963	1,050	347	264	83
DP-MAINFRAME	2,140	5,000	1,650	591	1,059
REIMBURSEMENT	10,573	7,375	2,434	5,128	(2,694)
EQUIPMENT	226,828	248,536	99,414	89,310	10,104
EQUIP NONINV	16,399	800	320	5,522	(5,202)
OTHER EXP	432	700	231	174	57
LICENSES	1,145	697	230	970	(740)
	8,716,725	8,773,566	3,753,868	3,800,991	(47,123)

FORESTS AND FORESTRY DIVISION

EXPENSE CATEGORY	Actual FY96	Budget FY97	YTD Budget 11/30/96	YTD Actual 11/30/96	Under (Over)
PERS SERV	1,802,802	1,877,565	713,475	680,443	33,032
SEASONAL WORKERS	87,467	122,362	74,641	32,586	42,055
PERS TRV IN	41,920	41,200	13,596	18,275	(4,679)
STATE VEHICL	66,912	77,500	32,550	32,689	(139)
VEHICLE LEASE	118,585	136,500	57,330	47,470	9,860
PERS TRV OUT	5,167	11,500	3,795	3,688	107
OFF SUPPLY	28,570	19,000	6,270	7,761	(1,491)
FAC MAINT SU	38,187	35,500	11,715	14,726	(3,011)
EQUIP MAINT	55,993	55,500	18,315	20,093	(1,778)
AG CONS SUPP	78,354	74,000	24,420	29,853	(5,433)
OTHER SUPPLY	21,580	38,000	12,540	9,085	3,455
PRINT & BIND	13,751	21,500	7,095	12,200	(5,105)
UNIFORMS	11,716	13,000	4,290	2,172	2,118
COMMUNICATIO	48,783	48,500	16,005	14,133	1,872
RENTALS	39,879	43,000	14,190	6,376	7,814
UTILITIES	32,136	31,000	10,230	6,822	3,408
PROF SERV	14,291	1,500	495	0	495
OUTSIDE SERV	72,153	53,500	17,655	10,567	7,088
ADVER PUB	289	500	165	0	165
DP-MAINFRAME	1,248	1,500	495	345	150
REIMBURSEMENT	1,018	300	99	0	99
EQUIPMENT	39,392	66,285	26,514	22,838	3,676
EQUIP NONINV	1,192	9,574	3,830	1,089	2,741
OTHER EXP	42	0	0	45	(45)
	2,621,427	2,778,786	1,069,709	973,256	96,453

ENERGY & GEOLOGICAL RESOURCES DIVISION

EXPENSE CATEGORY	Actual FY96	Budget FY97	YTD Budget 11/30/96	YTD Actual 11/30/96	Under (Over)
PERS SERV	2,327,252	2,659,970	1,010,789	943,475	67,314
PERS TRV IN	23,745	40,168	13,255	5,352	7,903
STATE VEHICL	12,539	15,000	6,300	8,033	(1,733)
VEHICLE LEASE	12,230	14,000	5,880	2,800	3,080
PERS TRV OUT	42,688	74,336	24,531	14,575	9,956
OFF SUPPLY	30,382	34,858	11,503	10,381	1,122
FAC MAINT SU	623	1,500	495	277	218
EQUIP MAINT	1,837	3,200	1,056	280	776
PROF SUPPLY	1,465	1,434	473	31	442
OTHER SUPPLY	27,174	54,953	18,134	8,104	10,030
PRINT & BIND	36,466	54,573	18,009	6,721	11,288
UNIFORMS	1,321	1,300	429	15	414
COMMUNICATIO	40,490	41,350	13,646	9,854	3,792
RENTALS	2,112	2,500	825	1,472	(647)
UTILITIES	20,858	19,000	6,270	4,110	2,160
PROF SERV	943,476	1,129,990	282,498	182,313	100,185
OUTSIDE SERV	79,584	258,909	85,440	36,967	48,473
ADVER PUB	933	2500	825	145	680
OUT REPAIRS	14	500	165	0	165
DP-MAINFRAME	5,661	7,886	2,602	1,415	1,187
REIMBURSEMENT	10,714	11,635	3,840	1,480	2,360
EQUIPMENT	160,016	148,767	59,507	17,126	42,381
EQUIP NONINV	11,516	21,854	8,742	1,030	7,712
OTHER	4843	5,762	1,901	0	1,901
	3,797,939	4,605,945	1,577,115	1,255,956	321,159

ENVIRONMENTAL PROTECTION DIVISION

EXPENSE CATEGORY	Actual FY96	Budget FY97	YTD Budget 11/30/96	YTD Actual 11/30/96	Under (Over)
PERS SERV	8,780,016	10,642,911	4,044,306	3,560,806	483,500
PERS TRV IN	57,078	162,757	53,710	27,943	25,767
STATE VEHICL	39,981	58,550	24,591	23,620	971
VEHICLE LEASE	57,410	88,500	37,170	27,680	9,490
PERS TRV OUT	93,312	288,582	95,232	46,387	48,845
OFF SUPPLY	119,597	157,914	52,112	38,332	13,780
FAC MAINT SU	5,328	5,670	1,871	823	1,048
EQUIP MAINT	21,496	21,700	7,161	4,745	2,416
PROF SUPPLY	0	1,250	413	0	413
OTHER SUPPLY	14,901	39,684	13,096	17,262	(4,166)
PRINT & BIND	89,826	146,841	48,458	17,470	30,988
UNIFORMS	5,595	9,100	3,003	2,009	994
COMMUNICATIO	198,490	312,950	103,274	47,000	56,274
RENTALS	117,346	513,800	169,554	42,387	127,167
UTILITIES	23,352	24,400	8,052	7,058	994
PROF SERV	3,944,014	5,409,124	1,352,281	758,260	594,021
OUTSIDE SERV	79,547	171,400	56,562	60,133	(3,571)
ADVER PUB	8,310	11,626	3,837	4,375	(538)
DP-MAINFRAME	170,417	226,437	74,724	36,238	38,486
REIMBURSEMENT	57,442	64,500	21,285	10,424	10,861
EQUIPMENT	1,759,294	2,011,357	804,543	816,278	(11,735)
EQUIP NONINV	43,927	37,765	15,106	16,836	(1,730)
OTHER EXP	19,599	15,750	5,198	0	5,198
	15,706,278	20,422,568	6,995,536	5,566,066	1,429,470

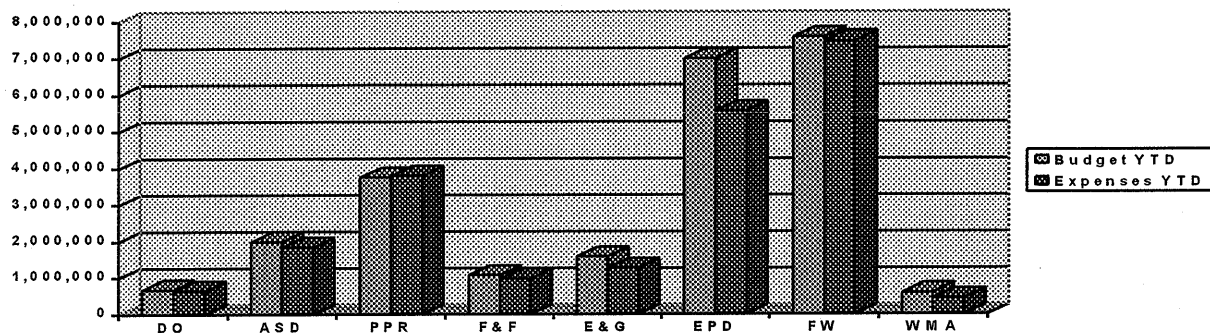
FISH AND WILDLIFE DIVISION

EXPENSE CATEGORY	Actual FY96	Budget FY97	YTD Budget 11/30/96	YTD Actual 11/30/96	Under (Over)
PERS SERV	12,402,330	12,946,097	4,919,517	4,933,662	(14,145)
SEASONAL WORKERS	805,914	837,412	510,821	423,268	87,553
PERS TRV IN	350,926	363,240	119,869	137,027	(17,158)
STATE VEHICL	506,847	512,700	215,334	272,819	(57,485)
VEHICLE LEASE	707,360	757,696	318,232	288,790	29,442
PERS TRV OUT	37,513	51,400	16,962	17,983	(1,021)
OFF SUPPLY	266,399	254,818	84,090	63,691	20,399
FAC MAINT SU	336,977	453,707	149,723	128,828	20,895
EQUIP MAINT	480,781	353,036	116,502	222,164	(105,662)
PROF SUPPLY	0	10,000	3,300	0	3,300
AG CONS SUPP	319,951	393,858	129,973	80,506	49,467
OTHER SUPPLY	193,323	113,077	37,315	97,837	(60,522)
PRINT & BIND	338,250	313,989	103,616	117,204	(13,588)
UNIFORMS	136,027	132,125	79,275	55,492	23,783
COMMUNICATIO	296,015	301,600	99,528	104,872	(5,344)
RENTALS	59,319	65,160	21,503	17,871	3,632
UTILITIES	234,382	242,216	79,931	69,217	10,714
PROF SERV	361,161	385,666	96,417	169,943	(73,527)
OUTSIDE SERV	175,192	171,862	56,714	27,949	28,765
ADVER PUB	4,349	23,600	7,788	157	7,631
DP-MAINFRAME	86,521	64,000	21,120	55,217	(34,097)
REIMBURSEMENT	82,648	120,751	39,848	14,349	25,499
EQUIPMENT	696,546	765,135	306,054	141,567	164,487
EQUIP NONINV	76,387	102,875	41,150	35,816	5,334
OTHER EXP	40,817	44,353	14,636	1,845	12,791
LICENSES	217	300	99	0	99
	18,996,152	19,780,673	7,589,319	7,478,074	111,245

WASTE MANAGEMENT ASSISTANCE DIVISION

EXPENSE CATEGORY	Actual FY96	Budget FY97	YTD Budget 11/30/96	YTD Actual 11/30/96	Under (Over)
PERS SERV	772,841	897,571	341,077	316,827	24,250
PERS TRV IN	28,797	60,855	20,082	10,224	9,858
STATE VEHICL	0	0	0	48	(48)
PERS TRV OUT	20,579	37,505	12,377	10,757	1,620
OFF SUPPLY	13,475	60,172	19,857	4,580	15,277
EQUIP MAINT	1,192	915	302	199	103
OTHER SUPPLY	34,090	13,270	4,379	9,261	(4,882)
PRINT & BIND	43,742	109,393	36,100	16,548	19,552
UNIFORMS	28	0	0	0	0
COMMUNICATIO	15,567	20,000	6,600	4132	2,468
RENTALS	776	4,390	1,449	873	576
PROF SERV	62,065	392,413	98,103	40,043	58,060
OUTSIDE SERV	8,855	11,835	3,906	1,845	2,061
ADVER PUB	8,101	12,475	4,117	4,140	(23)
DP-MAINFRAME	2,737	3,900	1,287	738	549
REIMBURSEMENT	33,075	59,870	19,757	10,712	9,045
EQUIPMENT-LARGE	34,166	12,610	5,044	5,152	(108)
EQUIPMENT-SMALL	1136	4964	1,986	1327	659
OTHER	5,628	6,700	2,211	0	2,211
	1,086,850	1,708,838	578,632	437,406	141,226

Division Expenditure Status, 11/30/96



Mr. Kuhn reviewed the financial status reports.

INFORMATIONAL ONLY

WASTE TIRE MANAGEMENT COUNTY GRANT PROGRAM CONTRACTS

Teresa Hay, Division Administrator, Waste Management Assistance Division, presented the following item.

The Iowa General Assembly adopted comprehensive waste tire management legislation, HF 2433, earlier this year. One of several components within HF2433 included a grant program for counties, designed to promote the safe collection and proper management of waste tires at the

community level. Administrative rules for the grant program have been established under Chapter 215, Waste Tire Management County Grant Program.

Grant monies from the waste tire management fund will be allocated to county boards of supervisors, or to designees of each board, for which a grant application has been approved by the Department. Designees may include public or private entities. The grant will be used for establishing and implementing local waste tire management programs, including the designation and operation of a site or sites within each participating county for the collection of waste tires without charge from eligible parties.

- Annual funding for the program will be available over a six-year period as follows:
 - July 1, 1996 to June 30, 1997: seven hundred thousand dollars (\$700,000)
 - July 1, 1997 through June 30, 2001: one million dollars each year; and,
 - July 1, 2001 to June 30, 2002: seven hundred thousand dollars
- The maximum grant amount available to a county each year is based on the population of the county (as documented in the 1990 census) as follows:
 1. Counties with population of less than 60,000 may receive up to \$15,000;
 2. Counties with 60,000 but less than 110,000 may receive up to \$30,000;
 3. Counties of 110,000 but less than 200,000 may receive up to \$50,000;
 4. Counties with populations of 200,000 or more may receive up to \$65,000.

Grants are awarded for a single fiscal year and counties must re-apply annually for continued funding.

As the legislation requires disbursement of funds by January 1st of each fiscal year, the Department has accepted and reviewed applications from applicants for fiscal year 1997 funds which are currently available. During this initial grant funding round a total of 43 grant applications were received, representing a total of 56 counties (6 regional applications, representing multiple counties, were received). A total of \$1,025,466 was requested from the applicants, with \$700,000 available for disbursement.

Of the 43 applications received by the Department, a total of 31 were selected for receipt of grant funds. The following table provides a listing of all grant applicants selected by the Department for grant awards in fiscal year 1997.

APPLICANT	COUNTY (ies) REPRESENTED	FUNDING ALLOCATED
Adair County Sanitary Landfill Commission	Adair	\$ 7,500
Allamakee County Solid Waste Commission	Allamakee	15,000
Black Hawk County Health Department	Black Hawk	50,000
Buena Vista County Environmental Health	Buena Vista	15,000
Cedar County Solid Waste Commission	Cedar	15,000
Clinton County Area Solid Waste Agency	Clinton	15,000

Council Bluffs Health Department	Pottawattamie	15,000
Des Moines County Board of Supervisors	Des Moines	15,000
Dubuque Metropolitan Area Solid Waste Agency	Dubuque	25,000
East Central Iowa Council of Governments	Benton, Iowa, Tama, Johnson, Jones, Linn	140,000
Fayette County Conservation Board	Fayette	15,000
Harrison County Landfill Commission	Harrison	13,650
Howard County Department of Waste Management	Howard	15,000
Jackson County Board of Supervisors	Jackson	15,000
Jasper County Board of Supervisors	Jasper	15,000
Lee County Board of Supervisors	Lee	7,500
Louisa County Solid Waste Commission	Louisa	9,000
Mahaska County Solid Waste Commission	Mahaska	5,100
Marshall County Solid Waste Management	Marshall	15,000
Metro Waste Authority	Polk	54,700
Muscatine County Board of Supervisors	Muscatine	15,000
Rathbun Area Solid Waste Commission	Appanoose	7,500
Rural Iowa Waste Management Association	Butler, Hardin	15,000
Scott County Board of Supervisors	Scott	50,000
South Central Iowa Solid Waste Agency	Lucas, Marion, Monroe	19,884
Southeast Iowa Multi-County Solid Waste Agency	Jefferson, Keokuk Washington	18,000
Union County Landfill Commission	Adams, Taylor, Union	22,166
Warren County Board of Supervisors	Warren	15,000
Wayne County Board of Supervisors	Wayne	15,000
Woodbury County Area Solid Waste Agency	Woodbury	30,000
Wright County Board of Supervisors	Wright	15,000

At this time the Commission is requested to approve contracts for the six (6) grant applications of \$25,000 or more. The following provides a brief description of each of the projects recommended; contracts for the six projects described are also attached.

Applicant: Black Hawk County Health Department
1407 Independence Ave.
Waterloo, Iowa 50703

Contact: Mark Linda 319-291-2413

County
Represented: Black Hawk

Grant Award
Requested: \$50,000

Program
Description: The applicant will implement a waste tire collection program throughout Black Hawk County. The collection program will consist of establishment of tire "amnesty" days from April - June of 1997, whereby temporary collection sites will be established throughout the county to allow the public to bring in waste tires without a disposal fee. Funds will also be used to offer a reward or incentive to non-profit groups who are interested in cleaning up waste tires that have been dumped or abandoned on public properties. The County Engineer and Secondary Roads Department will also collect tires from roadways and ditches, with grant funds covering cost of disposal of these tires. The proposed program will also feature an educational aspect through mini-lectures to high school driver education classes on proper tire care and disposal, other public presentations by staff and volunteers, and creation of brochures, pamphlets, billboards, and flyers to promote the program, and to provide education on proper waste tire disposal. It is estimated that over 32,000 waste tires will be collected within this fiscal year's program.

Applicant: Dubuque Metropolitan Area Solid Waste Agency
925 Kerper Blvd.
Dubuque, Iowa 52001

Contact: Don Vogt 319-589-4344

County
Represented: Dubuque

Grant Award
Requested: \$25,000

Program
Description: Within the grant proposal, the Dubuque Metropolitan Area Solid Waste Agency plans to designate the Agency's landfill as a

collection site, where tires can be dropped off at no cost to the public. The Agency also proposes to offer free and unlimited tire disposal privileges to the Iowa Department of Transportation, Dubuque County area school districts, and municipalities within the County. The municipalities will conduct free tire collection programs at the local level, and transport tires collected to the landfill for final disposal. The waste tire collection program within the county will be publicized through direct mailings, newspaper, radio, and television features, and through billboards, public presentations, and interviews. Publicity of the program will also feature information on proper disposal options for waste tires, beneficial uses of recycled tires, and proper tire maintenance and care. It is the applicants intent to collect and properly dispose of 10,000 tires through June 30, 1997.

Applicant: East Central Iowa Council of Governments
6301 Kirkwood Blvd. SW
Cedar Rapids, Iowa 52406

Contact: Marie DeVries 319-398-1266

Counties

Represented: Benton, Iowa, Johnson, Jones, Linn, Tama

Grant Award

Requested: \$140,000

Program

Description: The applicant plans to provide a waste tire collection program as a "regional" effort within the six-county area represented in the grant application. Each of the six landfills within the region will host an amnesty period during May and June of 1997, allowing the public to dispose of waste tires without a fee. In conjunction with the amnesty period, each county in the region will organize waste tire collection sites in each community during spring "clean up" days. Counties will also offer a bounty program similar to Linn County's 1993 waste tire pilot collection program, in which pre-approved non-profit groups will organize tire collection efforts, and receive a "bounty" fee for each tire brought to the landfills. Sponsors of the "Adopt-a-Highway" program will also be encouraged to make a special effort to collect waste tires from roadways they normally collect garbage from, with grant

funds used to pay for disposal of tires these sponsors might collect. The applicant will call attention to the program and its goals through a publicity and educational campaign that will consist of poster and sculpture contests in schools and the community related to waste tire issues, development of brochures, flyers, and radio and television announcements to promote the program, and a drive to request mayors of communities within the region to issue "Community Waste Tire Clean-up Week" proclamations during the program. It is estimated that over 84,000 tires may be collected through these program activities.

Applicant: Metro Waste Authority
521 East Locust St.
Des Moines, Iowa 50309

Contact: Sharon Safris

County
Represented: Polk, and communities of Carlisle, Hartford, Norwalk in Warren County, and
Grant Award Mingo and Prairie City in Jasper County
Requested:
\$54,700

Program
Description:

The Metro Waste Authority (MWA) will sponsor three collection sites for drop off of waste tires, including the Browning-Ferris Industries (BFI) transfer facility on NE Delaware Ave., and the Metro Recycling Center at 1817 Euclid Ave., both located in Des Moines. The Metro Park East Sanitary Landfill in eastern Polk County will also collect tires at no cost to the public. MWA will also provide grant funds to local communities for an opportunity to host an annual waste tire collection event. Communities and neighborhood associations will also be able to receive approval from MWA to directly deliver waste tires they may collect to a waste tire processor, and receive reimbursement through the grant funds available to MWA. Collection of over 40,000 waste tires in anticipated through MWA's collection efforts.

Applicant: Scott County Board of Supervisors

416 West 4th St.
Davenport, Iowa 52801

Contact: Galen Al Moore 319-326-8618

**County
Represented:** Scott

**Grant Award
Requested:** \$50,000

**Program
Description:** The Board of Supervisors' program will consist of a joint effort between Scott County and the Scott Area Solid Waste Management Commission to sponsor "Waste Tire Amnesty Days" during April 1997 at convenient locations for residents throughout Scott County, to include the Commission's landfill, Mississippi Valley Fairgrounds, and the Scott County Secondary Roads Maintenance facility where the public may bring waste tires for disposal at no charge. Grant funds would also be used to sponsor city-wide collection events in all municipalities within the County. The proposed program will also feature special efforts to target low socio-economic-status neighborhood areas to provide assistance with waste tire management issues. Every household within the County (over 65,000) will be targeted with a direct mail educational and promotional flyer which will encourage participation within the program, while providing information on proper care, disposal, and recycling of tires.

Applicant: Woodbury County Area Solid Waste Agency
2210 Ida Ave.
Merville, Iowa 51039

Contact: Joan Tomlinson 712-873-3837

**County
Represented:** Woodbury

**Grant Award
Requested:** \$30,000

Program

Description: The applicant will establish two sites as waste tire drop-off and collection locations for Woodbury County residents. These will consist of the Sioux City Landfill and the Woodbury County Landfill, the latter located in Merville. The public will be able to dispose of waste tires at these facilities without charge throughout the duration of the grant program. The applicant will also coordinate city-wide waste tire clean-up days in municipalities throughout the county, where local citizens can dispose of waste tires during a "curb-side" collection day, or through deposit of tires at temporary local collection sites. An educational component within this program will consist of brochures, fliers, radio and television spots to advise citizens of the benefits of prolonging tire life and also to provide information on proper waste tire disposal methods. Over 20,000 tires are anticipated to be collected during this program.

These six (6) contracts of \$25,000 or greater are presented to the Commission for approval.

(A copy of the Scope of Work for each project is on file in the department's Records Center)

Ms. Hay reviewed details of the grant applications and Scope of Work for the six projects over \$25,000. She noted that each project will host some amnesty days whereby people can bring in waste tires at no charge. Also some will run curbside collection programs, and others will have a bounty program where they pay for tires brought in from roadside ditches.

Discussion followed regarding why all counties did not apply; restrictions on the number of tires a landfill can take; what types of tires are included; and what portion of the money appropriated in legislation goes to the grant program.

Several Commissioners commented that this is a good program.

Motion was made by William Ehm to approve the Waste Tire Management County Grant Contracts as presented. Seconded by Charlotte Mohr. Motion carried unanimously.

APPROVED AS PRESENTED

MONTHLY REPORTS

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

The following monthly reports are enclosed with the agenda for the Commission's information.

1. Rulemaking Status Report
2. Variance Report
3. Hazardous Substance/Emergency Response Report
4. Enforcement Status Report
5. Contested Case Status Report

Members of the department will be present to expand upon these reports and answer questions.

RULEMAKING STATUS REPORT December 1, 1996

PROPOSAL	NOTICE TO COMM.	NOTICE PUBLISH	RULES REVIEW COMM.	HEARING	FINAL SUMMARY TO COMM.	RULES ADOPTED	RULES PUBLISH	RULES REVIEW COMM.	RULE EFFECTIVE
1. Ch. 20 - Potential to Emit for Emergency Generators	9/16/96	10/09/96	11/13/96	11/07/96	* 1/14/97	* 1/14/97	* 2/12/97	* 3/11/97	* 3/21/97
2. Ch. 20, 21, 23, 25 and 29 - Air Quality Rules	10/21/96	11/20/96	12/11/96	12/10/96	* 1/14/97	* 1/14/97	* 2/12/97	* 3/11/97	* 3/21/97
3. Ch. 22 - Operating Permit by Rule for Small Sources	7/15/96	8/14/96	9/13/96	9/13/96	10/21/96	10/21/96	11/20/96	12/10/96	* 12/25/96
4. Ch. 61 - WQ Standards - Section 401 Certification-Section 404 Nationwide Permits	9/16/96	10/09/96	11/13/96	11/06/96	* 1/14/97	* 1/14/97	* 2/12/97	* 3/11/97	* 3/21/97
5. Ch. 100, 102 - Special Waste Authorizations	10/21/96	11/20/96	12/11/96	12/13/96	* 1/14/97	* 1/14/97	* 2/12/97	* 3/11/97	* 3/21/97
6. Ch. 133, 135 - Underground Storage Tank - Risk Based Corrective Action Stds.	6/17/96	7/17/96	8/14/96	8/6,7,8/96 8/12,14,15/96	12/16/96	* 12/16/96	* 1/15/97	* 2/11/97	* 2/19/97

Variance Report - November 1996

Item	Facility	Program	Engineer	Subject	Decision	Date
1	The Meadows Golf Course-Dubuque County	Wastewater Construction	IIW Engineers & Surveyors	Site Separation	Approved	11/01/96
2	Big 10 Truck Stop & Restuarant-Lowden	Watersupply Construction	IIW Engineers & Surveyors	Siting Criteria	Approved	11/01/96
3	Industrial Park-Strawberry Point, City of	Watersupply Construction	Crawford Engineering & Surveying	Siting Criteria	Approved	11/17/96
4	Louisa Generating Station-MidAmerican Energy-Louisa County.	Watersupply Operation	CALGON Corporation	System Operation	Denied	11/12/96

Report of Hazardous Conditions

During the period November 1, 1996, through November 30, 1996, 33 reports of hazardous conditions were forwarded to the central office. A general summary and count by field office is presented below.

Month	Total Incidents	Petroleum Product	Agri-Chemicals	Other Chemicals	Handling & Storage	Pipeline	Highway Incident	RR Incident	Fire	Other
Oct.	52(64)	28(37)	10(9)	14(18)	31(21)	0(0)	13(35)	4(3)	0(1)	4(4)
Nov.	33(52)	18(34)	9(7)	6(11)	16(25)	0(4)	12(21)	2(1)	0(0)	3(1)
Dec.										
Jan.										
Feb.										
Mar.										
Apr.										
May										
Jun.										
Jul.										
Aug.										
Sept.										

(numbers in parentheses for the same period in fiscal year '96)

Total Number of Incidents Per Field Office This Period:

1	2	3	4	5	6
8	4	4	8	5	4

ENFORCEMENT REPORT UPDATE**December 1, 1996**

The following new enforcement actions were taken last month:

Name, Location and Field Office Number	Program	Alleged Violation	Action	Date
Eugene Vandenberghe, Scott Co. (6)	Wastewater	Prohibited Discharge	Order/Penalty \$2,000	11/05/96
R & M Feed Mill Corp. and Ronald Stanton, Schaller (3)	Underground Tank	Closure Investigation	Order/Penalty \$600	11/05/96
Organic Technologies	Solid Waste;	Compliance Schedule,	Order/Penalty	11/15/96

Corp.; Tim Danley; Ken Renfro, Warren Co. (5)	Wastewater	Cover Violations, Other Violations; Discharge Limits, Operational Violations	\$10,000	
Ruan Leasing Company aka Ruan Transportation Management Systems, Buffalo (6)	Air Quality	Emission Standards	Order	11/27/96
Tri-State Transport, Inc. Buffalo (6)	Air Quality	Emission Standards	Order	11/27/96
Lafarge Corporation, Buffalo (6)	Air Quality	Emission Standards	Consent Order	11/27/96
Linwood Mining & Minerals Corp., Buffalo (6)	Air Quality	Emission Standards	Consent Order	11/27/96
DeCoster Farms of Iowa (Sow Unit #12) Hamilton Co. (2)	Wastewater	Construction Standards	Consent Order	11/27/96
Fibred-Iowa, Inc.; Iowa Falls, City of (2)	Wastewater	Effluent Limits	Consent Order	11/27/96

Summary of Administrative Penalties

The following administrative penalties are due:

NAME/LOCATION	PROGRAM	AMOUNT	DUE DATE
Marvin Kruse d/b/a K & C Feeds (Luana)	UT	300	12-01-92
Don Grell d/b/a Dodger Enterprises (Ft. Dodge)	AQ	10,000	2-16-93
Duane Pospisil d/b/a Duane's Service (Lisbon)	UT	1,000	5-04-93
Franklin Raymond (Pacific Junction)	UT	300	7-07-93
*Delano's Lounge (Washington)	WS	425	9-01-93
Melvin Foubert d/b/a Mel's Repair Service (What Cheer)	UT	400	12-13-93
Stan Simmer d/b/a Tire City (Des Moines)	UT	600	12-21-93
*63-80 Cafe (Moore Oil Co.) (Malcom)	WS	200	1-20-93
William Hatch d/b/a R&R Convenience Store (Central City)	UT	2,480	2-28-93
Kurt & Mary Marzofka; John & Shirley Riordan (Sabula)	UT	500	3-31-94
Ida Grove Farm Supply Co. d/b/a Double Circle Farm Supply Co. (Galva)	UT	2,300	5-15-94
Leland Koster and Jim Koster (Alexander)	UT	350	6-11-94
*Home Asbestos & Lead Abatement Services (Johnston)	AQ	350	7-02-94
King Transfer, Ltd.; George B. King (Onawa)	UT	2,400	7-20-94
Central Water Works (Fort Dodge)	WS	275	8-21-94
Crawford Flats, Ltd. (Denison)	WS	275	8-25-94
Holland, City of	WS	550	8-28-94

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Coralville Lake Terrace Assn. (North Liberty)	WS	550	9-01-94
The Marley Pump Co. (Davenport)	WS	125	9-13-94
RHCL School (Luxemberg)	WS	125	9-14-94
Bill Dettman d/b/a Dettman Oil Co. (Fonda)	UT	2,800	9-15-94
Kilpeck Mobile Home Park (Muscatine)	WS	275	9-23-94
Immanuel Lutheran Church and School (Readlyn)	WS	275	9-23-94
Scenic View Estates (Decorah)	WS	275	9-25-94
Yarmouth Elementary School (Mediapolis)	WS	375	10-12-94
Batavia, City of	WS	650	10-17-94
Geils Oil Company; Lawrence P. Geils (Donnelson)	UT	3,200	10-18-94
Hidden Valley Mobile Home Court (Washington Co.)	WS	200	10-22-94
*Dale Hall d/b/a Hall Oil Co. (Des Moines)	UT	250	11-15-94
Donald K. Schmidt (Cedar Rapids)	UT	3,000	12-27-94
Collier Oil Co.; Clark Concrete Co. (Onawa)	UT	3,300	1-22-95
Ron Mumby (Iowa Co.)	SW	2,000	4-19-95
Jody Beaver (Cedar Co.)	SW/AQ	2,000	5-27-95
Valley Heights 1st Annex (Blue Grass)	WS	550	6-05-95
Rock Falls Lounge (Rock Falls)	WS	1,500	6-12-95
Dallas County Care Facility (Adel)	WS	550	6-13-95
Crestwood Acres; Mid County Water, Inc. (Toddville)	WS	375	6-13-95
Lake Vista Improvement Assn., Inc. (Solon)	WS	200	6-14-95
Fremont County Sanitary Landfill (Fremont Co.)	SW	5,000	7-05-95
David A. Dohlmán d/b/a Dave's Conoco (Dumont)	UT	2,300	7-18-95
M & L Service; Loyal Dorr; Mark Courtney (Guthrie Center)	UT	1,000	8-30-95
Sheldahl, City of	WS	200	8-30-95
Norman Klynsma d/b/a OK One Stop Service (Hospers)	UT	2,000	9-01-95
Orville Long (Polk Co.)	SW	3,000	9-12-95
Ken Frese (Keokuk Co.)	SW/AQ	1,000	10-03-95
Carter Lake, City of	WS	200	10-25-95
Meadow Knolls Addition (Marion)	WS	200	10-29-95
Searsboro, City of	WW	2,500	11-08-95
*R. V. Hopkins, Inc. (Davenport)	AQ	10,000	11-15-95
Economy Solar Corp. (Monticello)	AQ	7,500	11-25-95
Elery Fry; Allen Fry; Becky Sandeen (Monroe Co.)	SW	6,000	1-20-96
Patrick McCoy (Keokuk Co.)	AQ/SW	2,000	2-10-96
Steven Mullane d/b/a S & S Landscaping (Madison Co.)	AQ/SW	2,000	2-14-96
Cheryl Straughn d/b/a Cher's Mini Mart (Chapin)	UT	600	2-21-96
Dennis Sharkey d/b/a Sharkey Bldg. Wrecking (Dubuque)	AQ	2,000	3-11-96
Sportsmen's Club (Waukon)	WS	100	4-01-96
C & C Ltd. d/b/a Country View MHP (Denison)	WS	475	4-08-96
Brian McKernan d/b/a Hickory Grove MHP (Story Co.)	WW	1,000	4-15-96
Long Branch Tavern (Monmouth)	WS	100	5-01-96
David Kramer (Camanche)	UT	600	5-03-96
Latimer, City of	WS	150	5-03-96
Ainsworth, City of	WS	150	5-03-96
Hofer's Danceland Ballroom (Walford)	WS	100	5-04-96
McClelland Bar & Grill (Council Bluffs)	WS	100	5-06-96
Paul L. Dunkel (Delaware Co.)	SW	1,500	6-27-96
*Orrie's Supper Club, Inc. (Hudson)	WS	650	7-15-96
*Woden-Crystal Lake Comm. School District (Crystal lake)	AQ	1,000	8-01-96
Plantation Village Mobile Home Park (Burlington)	WW	1,000	8-01-96
Rayburn Court for Mobile Homes (Mason City)	WS	500	8-25-96
Dennis L. Mattison (Winnebago Co.)	AQ/SW	600	9-03-96
*Dan Peterson d/b/a Peterson Backhoe (Dumont)	AQ	500	9-22-96

Carpenter Bar & Grill (Carpenter)	WS	725	9-27-96
Howard Victor and Wanda Victor (Des Moines)	UT	10,000	10-21-96
Riverside Lutheran Bible Camp (Story City)	WS	500	10-28-96
Long Branch Tavern (Monmouth)	WS	6,400	10-28-96
*First United Methodist Church (Ft. Madison)	AQ	2,500	11-01-96
Holliman LTD.; Terry Holliman (Hamburg)	SW/WW	10,000	11-27-96
Camp Golden Valley (Lockridge)	WW	5,700	12-26-96
Gassman's MHP & Spruce Harbor Inn (Dubuque)	WS	4,500	12-26-96
#Chris Petty (Decatur Co.)	WW	1,000	12-26-96
R & K Smith Farms, L.L.C. (Hardin Co.)	WW	500	12-28-96
Mark Anderson d/b/a Westside Park for Mobile Homes; M A, Inc. (Burlington)	AQ/SW	1,000	1-03-97
#Eugene VanDenBerghe (Scott Co.)	WW	2,000	1-06-97
R & M Feed Mill Corp.; Ronald Stanton (Schaller)	UT	600	1-07-97
Organic Technologies Corp.; Tim Danley; Ken Renfro (Warren Co.)	SW/WW	10,000	1-18-97
William R. Hennessey & Son, Inc. (Cedar Rapids)	UT	2,670	----
Deer Ridge Estates (Ottumwa)	WS	100	----
Dan Dooley (Polk Co.)	SW	2,000	----
#Callaway Farms; Midwest Lagoon, Inc. (Hamilton Co.)	WW	3,000	----
TOTAL		164,500	

The following cases have been referred to the Attorney General:

Donald P. Ervin (Ft. Dodge)	SW	669	3-05-90
Robert and Sally Shelley (Guthrie Center)	SW	1,000	3-04-91
Vernus Wunschel d/b/a Wunschel Oil (Ida Grove)	UT	300	1-12-92
Verna and Don Reed; Andrea Silsby (Union Co.)	SW	1,000	4-07-94
Relative, Inc.; Doug Smuck (Des Moines)	UT	3,070	10-11-94
Relative, Inc.; Doug Smuck (Des Moines)	UT	600	10-11-94
Trust Trucking Corp.; Jim and Brenda Huyser (Lovilia)	UT	840	11-01-94
Wunschel Oil, et.al. (Battle Creek)	UT	6,400	11-08-94
Paul Underwood d/b/a Underwood Excavating (Cedar Rapids)	AQ	4,000	3-24-95
Oscar Hahn (Solon)	SW/AQ	2,000	8-29-95
Randy Ballard (Fayette Co.)	FP	2,000	5-30-95
ESCORP Associates Ltd.; Arnold Olson (Cedar Rapids)	AQ	10,000	7-09-95
TOTAL		31,879	

The following administrative penalties have been appealed:

NAME/LOCATION	PROGRAM	AMOUNT
Joe Eggers, Jr., et.al. (St. Ansgar)	SW	1,000
Hickory Hollow Water Co. (Ankeny)	WS	400
Wayne Transportation, Inc. (Greene)	WW	1,000
Mulgrew Oil Company (Dubuque)	HC	500
Charles Kerr (Sloan)	UT	600

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Chickasaw Co. SLF, et.al. (Chickasaw Co.)	SW	1,000
Plymouth Cooperative Oil Co. (Hinton)	WW	1,000
Randy Bonin/Vickie Brannick (Hardin Co.)	SW	500
Dean Hoeness d/b/a Hoeness & Sons (Winterset)	UT	300
King's Terrace Mobile Home Court (Ames)	WW	500
ITWC, Inc. (Malcom)	AQ	1,000
Frank Hulshizer (Benton Co.)	SW	500
Pirelli Armstrong Tire Corp. (Polk Co.)	SW	1,000
LeMars, City of	WW	5,000
Crane Co. d/b/a Crane Valves (Washington Co.)	SW	500
Donald Udell (Plymouth Co.)	SW	1,000
Oakwood Park Water, Inc. (Ankeny)	WS	1,000
U.S. Dept. of Defense (Sioux City)	UT	5,720
Waverly Gravel & Ready-Mix aka Shell Rock Sand and Gravel (Shell Rock)	AQ	3,000
Coastal Mart, Inc.-Store #1081 (Davenport)	UT	5,320
Country Stores of Carroll, Ltd.; Roger Kanne (Carroll)	UT	10,000
Elite, Ltd.; Roger Kanne; James Pietig (Coon Rapids)	UT	3,500
Elite, Ltd.; Roger Kanne; James Pietig (Logan)	UT	3,288
HiWay Texaco, Ltd.; Roger Kanne; Rick Kanne (Bagley)	UT	5,000
Galva Union Elevator Co. (Galva)	UT	3,100
Joseph L. Ranker; Daryl Hollingsworth (Indianola)	UT	4,000
Home Oil Stations; Otto-Matic; Larence Otto (Burlington)	UT	3,000
Tom Wiseman (Sheffield)	UT	3,500
Village Oaks Homeowners Assn. (Blue Grass)	WS	550
Karl and Thelma Boylan d/b/a Boylan's Service (Northboro)	UT	1,800
William Jensen d/b/a B & B Tire & Oil Co. (Avoca)	UT	2,300
Crabtree Lake Resort (Rhodes)	WW	5,400
Elmer R. Faust d/b/a Faust Garage & Grocery (Delaware)	UT	2,300
American Coals Corporation - Site #5 (Bussey)	SW/AQ	10,000
H.E.W., Inc. aka Hazardous Environmental Wastes, Inc. aka Algona Roofing & Insulation, Inc. (Algona)	AQ	5,000
Bankston, City of	WS	550
Wunschel Oil, et.al. (Ida Grove)	UT	10,000
Jim Foust (Indianola)	SW	2,175
Titan Wheel International, Inc. (Walcott)	WW	10,000
Ronald Sizemore and Mark Murphy (Eldora)	UT	3,200
Boomsma's Egg, Inc. (Alden/Galt)	AQ	10,000
Keith Owens and Howard Maurer (Wilton)	UT	3,100
Tom Babinat d/b/a Tom's Car Care (Grundy Center)	UT	3,600
Richard Beckett (Villisca)	UT	1,300
Henry and Randy Krohn d/b/a Krohn Const. (Waukee)	AQ/SW	4,000
James and Roxann Neneman; J&R Mini Mart (Council Bluffs)	UT	3,900
Simonsen Industries, Inc. (Cherokee Co.)	WW	5,000
Sale-R-Villa Const., Inc. (Perry)	AQ	10,000
Otis Schultz d/b/a Schultz Oil Co. (Sac City)	UT	2,200
Dennis Malone & Joanne Malone (Morning Sun)	UT	600
# Larry Royer (Guthrie Co.)	WW	1,000
Economy Solar Corp.; Jeffrey C. Intlekofer (Cedar Rapids)	AQ	10,000
Marty Feinberg d/b/a Feinberg Scrap Iron; Betty Feinberg; F & F Metals (Lee Co.)	HC/WW	10,000

Cumberland Ridge First Addition (North Liberty)	WS	550
Earth Media Technologies, Inc. (Polk Co.)	SW	3,000
Allison Fire Dept.; Allison, City of	AQ	5,000
Pilot Oil Corporation (Walcott)	WW/UT	5,000
Leonard C. Page (Adams Co.)	SW	3,000
White Oaks Homeowners Assn. (Ankeny)	WS	1,000
Boyer Valley Company (Arion)	WW	8,000
Wilbur McNear; Gilbert Persinger (Smithland)	UT	2,500
Donald Krieger (Terrill)	UT	600
Donald J. Foreman d/b/a D & R Feedlots (Woodbury Co.)	WW	3,000
Wilbur McNear d/b/a McNear Oil Co. (Charter Oak)	UT	2,000
Holiday Mobile Lodge, Inc. (Johnson Co.)	SW/AQ	2,000
Shell Rock Products, Inc. (Butler Co.)	SW/AQ	10,000
E.L. Incorporated (Algona)	SW	5,000
Weber Construction, Inc. (Cascade)	AQ	4,000
Tri-County Bank & Trust (Cascade)	AQ	4,000
Jack Pinney Operations, Inc. (Sioux City)	AQ	4,000
# Gary Watson (Cerro Gordo Co.)	WW	2,500
Vernon Kinsinger d/b/a K & K Sanitation (Washington Co.)	AQ/SW	10,000
Roy Burger (Gillette Grove)	UT	5,400
Spencer Municipal Hospital (Spencer)	AQ	3,000
Massena, City of	WW	1,200
Westside Park for Mobile Homes (Burlington)	WW	3,000
Climax Molybdenum Company (Ft. Madison)	HC/AQ	10,000
Clarence, City of	WW	3,000
All-States Quality Foods (Charles City)	WW	5,000
Bill Shirbroun d/b/a Was Broken Pallet (Webster Co.)	AQ/SW	1,000
Daryl & Karen Hollingsworth d/b/a Medora Store (Indianola)	UT	4,800
Hidden Valley Mobile Home Park (Washington)	WW	2,000
Jolly Roger Campground & Marina (North Liberty)	WW	1,000
Markley Knock d/b/a Knock's Bldg. Supply (Parkersburg)	AQ/SW	2,000
Dean Williams d/b/a Williams Oil Co. (Stuart)	UT	4,800
Russell Stagg (Muscatine Co.)	AQ/SW	2,000
Obie's Hurstville Tap, Inc. (Maquoketa)	WS	100
Edward Bodensteiner (Des Moines)	UT	3,200
Dallas County Care Facility (Adel)	WW	2,500
# Marlin Brennehan (Iowa Co.)	WW	3,000
Mount Joy Mobile Home Park (Davenport)	WW	2,000
Louisa-Muscatine Community School (Letts)	WS	500
Davenport Travel Plaza (Walcott)	WS	250
# C & I Eggs (Webster Co.)	WW	3,000
Vermeer Manufacturing Co. (Pella)	AQ	10,000
Gary Walker (Montgomery Co.)	AQ/SW	3,000
Haasco, Ltd. (Dubuque)	AQ	3,000
Site Services, Ltd. (Waterloo)	AQ	5,000
Mederer Corporation (Creston)	WW	10,000
Winsor Oil Co., Inc.; Joyce Winsor (Vinton)	UT	1,500
Bernie Brauns d/b/a Brauns Waste Mgmt. (Muscatine Co.)	AQ/SW	10,000
Becker Gravel Company, Inc. (Stratford)	WW/FP	3,000
Ron Rupe (Polk Co.)	SW	2,000
Richard L. Magdefrau (Washington Co.)	AQ/SW	2,000
Lamoni, City of	WW	1,000
Margaret & Gene Palmersheim d/b/a G & M Service Mart		

(Greeley)	UT	1,500
Dakota Mobile Home Park (Oxford)	WW	2,550
Waste Mgmt. & Design; Monfort, Inc. (Des Moines)	SW/WW	10,000
Boomsma Egg Site #1; A.J. DeCoster (Wright Co.)	WW	1,000
Leroy Navratil d/b/a Navratil Excavating (Plymouth)	AQ/SW	600
Richard Sprague (Tripoli)	AQ/SW	5,000
Joseph Barragy; Tom Barragy; J & M Woodshavings, Inc. (Cerro Gordo Co.)	AQ/SW	4,000
Marvin Low d/b/a Low's DX (Toledo)	UT	10,000
#Don Ridenour (Keokuk Co.)	WW	500
Carroll, City of	WS	3,000
Todd L. Salow (Washington)	AQ/SW	5,000
TOTAL		415,753

The following administrative penalties were paid last month:

NAME/LOCATION	PROGRAM	AMOUNT
Corn Production Services (Dyersville)	WW/HC	3,000
TOTAL		3,000

ATTORNEY GENERAL REFERRALS
December 1, 1996

Name, Location and Region Number	Program	Alleged Violation	DNR Action	New or Updated Status	Date
American Asbestos Training Center, Ltd. Cedar Rapids (1)	Air Quality	Asbestos	Referred to Attorney General	Referred Petition Filed Awaiting Decree	7/22/94 8/29/94
Ballard, Randy Fayette Co. (1)	Flood Plain	Construction Without Permit	Order/Penalty	Referred	5/29/96
DeCoster, A.J. Wright Co. Updated	(2) Waste-water	Prohibited Discharge	Referred to Attorney General	Referred Petition Filed Defendant's Pre-Answer Motions Filed State's Resistance Filed Order Denying Defendant's Motion Defendant's Motion for Separate Trials State's Resistance Filed Defendant's Answer Defendant's Reply to Resistance State's Supplement to Resistance State Brief Hearing on Motion for Separate Trials Order Denying Defendant's Motion	7/17/95 1/23/96 3/06/96 3/27/96 4/12/96 4/19/96 4/29/96 5/01/96 5/06/96 5/30/96 5/31/96 6/03/96 6/28/96

					Defendant's Motion to Compel	10/03/96
					State's Motion to Extend Pleadings	10/15/96
					Hearing	10/21/96
					Order Denying Defendant's Motion	10/28/96
					Order Granting State's Motion	10/28/96
					Defendants Motion for Reconsideration	11/06/96
					Order Denying Defendant's Motion	11/21/96
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DeCoster, A.J. Nursery Unit #3 Wright Co. Updated	(2)	Waste- water	Prohibited Discharge	Referred to Attorney General	Referred Petition Filed	8/19/96 11/25/96
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Economy Solar Corp. Ft. Madison (6)		Air Quality	Asbestos	Referred to Attorney General	Referred Petition Filed Trial Date Ruling (\$1,600/Civil & Injunction) Notice of Appeal Voluntary Dismissal	3/21/94 8/29/94 11/06/95 11/30/95 1/03/96 4/11/96
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Economy Solar Corp. Cedar Rapids (1)		Air Quality	Asbestos	Referred to Attorney General	Referred Petition Filed Awaiting Decree	7/22/94 8/29/94
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Economy Solar Corp./Central Community School DeWitt (6)		Air Quality	Asbestos	Referred to Attorney General	Referred	7/17/95
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Economy Solar Corp. Cedar Rapids (1)		Air Quality	Penalty Collection	Order/Penalty	Referred	6/17/96
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ESCORP/Cryotech Cedar Rapids (1)		Air Quality	Asbestos	Referred to Attorney General	Referred	7/17/95
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ESCORP Associates, Ltd; Arnold Olson Cedar Rapids (1)		Air Quality	Asbestos	Order/Penalty	Referred	9/16/96
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Hahn, Oscar Solon (6)		Air Quality Solid Waste	Open Burning Illegal Disposal	Order/Penalty	Referred Petition Filed	12/18/95 4/18/96
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Humiston, Fred d/b/a Cedar River Trailer Park Letts (6)		Drinking Water	MCL-Nitrate	Referred to Attorney General	Referred	9/16/96
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Huyser, James; Trust	Under-			Referred to	Referred	11/21/94

Environmental Protection Commission Minutes

December 1996

Trucking Lovilia (5)	ground Tank	Site Assessment	Attorney General	Petition Filed	4/18/96
Lee, Harold and Evelyn Keokuk Co. (6)	Waste- water	Prohibited Discharge	Referred to Attorney General	Referred Petition Filed	10/16/95 5/16/96
Martinez, Vincent d/b/a Martinez Sewer Service Davenport (6)	Hazardous Condition	Remedial Action	Order/Penalty	Referred Petition Filed Partial Default Judgment (Injunction)	2/17/92 12/21/92 10/11/94
Orrie's Supper Club, Inc. Hudson (1)	Drinking Water	Monitoring/Re porting; Lead & Copper	Order/Penalty	Referred	10/16/95
Owens & Owens Realty, Inc. Wilton (6)	Under- ground Tank	DNR Defendant	Defense	Petition Filed Answer Filed	3/29/96 4/19/96
Plantation Village Mobile Home Park Burlington (6)	Waste- water	Monitoring/Re porting	Order/Penalty	Referred Motion for Judgment Hearing on Motion Judgment for \$1,000	10/16/95 7/10/96 7/29/96 8/01/96
Postville Pork Postville (1)	Waste- water	Prohibited Discharge	Referred to Attorney General	Referred	5/20/96
Reed, Verna and Don; Andrea Silsby Union Co. (4)	Solid Waste	Illegal Disposal	Order/Penalty	Referred Petition Filed Default Judgment	6/20/94 8/10/94 12/12/94
Relative, Inc.; Doug Smuck Des Moines (5)	Under- ground Tank	Insurance Violation	Order/Penalty	Referred Petition Filed	10/17/94 5/12/95
Underwood, Paul d/b/a Underwood Excavating and Demolition Cedar Rapids (1)	Air Quality	Asbestos	Order/Penalty	Referred Motion for Judgment	5/15/95 8/15/96
Wunschel Oil Co.; Vernus, Jaquellyn and Mark Wunschel Ida Grove (3)	Under- ground Tank	Site Assessment	Order/Penalty	Referred Motion for Judgment	1/17/95 8/28/96

CONTESTED CASES
December 1, 1996

<u>Date Received</u>	<u>Name of Case</u>	<u>Action Appealed</u>	<u>Program</u>	<u>Assigned To</u>	<u>Status</u>
1-23-86	Oelwein Soil Service	Admin. Order	WW	Murphy	Hearing continued; additional testing being done.
6-08-89	Shaver Road Investments	Site Registry	HW	Kennedy	Draft consent order under review by EPA
6-08-89	Hawkeye Rubber Mfg. Co.	Site Registry	HW	Kennedy	Draft consent order under review by EPA.
6-08-89	Lehigh Portland Cement Co.	Site Registry	HW	Murphy	Hearing continued. Discovery initiated.
11-03-89	Bridgestone/Firestone, Inc.	Site Registry	HC	Murphy	Hearing continued pending negotiations. Settlement proposed 8/96.
5-08-90	Texaco Inc./Chemplex Co.	Site Registry	HW	-----	Settlement proposed.
5-14-90	Alter Trading Corp. (Council Bluffs)	Admin. Order	SW	Kennedy	EPD considering public hearings. District court suit filed.
6-20-90	Des Moines, City of	NPDES Permit Cond.	WW	Hansen	EPD met with City to resolve appeal issues. Follow-up with EPD regarding status-2/96.
7-02-90	Keokuk Savings Bank and Trust; Keokuk Coal Gas	Site Registry	HW	-----	Hearing continued.
7-30-90	Key City Coal Gas Site; and Howard Pixler	Site Registry	HW	-----	Decision appealed (Pixler).
8-01-90	J.I. Case Company	Site Registry	HW	Preziosi	Hearing continued indefinitely pending cleanup of neighboring
10-15-90	Westside General Store Corp.	Admin. Order	UT	Wornson	Evaluating inability to pay - UST fund eligibility by county..
12-03-90	United States Gypsum Co.; Smitty's Oil	Site Registry	HC	Preziosi	Negotiating before filing.
12-27-90	McAtee Tire Service, Inc.	Admin. Order	SW	Kennedy	Amended order issued 1/11/96.
1-07-91	Joe E. Eggers, Jr.; Joe and Mary Eggers	Admin. Order/Penalty	SW	Kennedy	Hearing continued. Clean-up continuing 11/96.
5-20-91	Great Rivers Coop-Lockridge	Site Registry	HC	Murphy	Settlement proposed.
9-25-91	Archer Daniels Midland	Admin. Order	SW	Kennedy	DNR engineers reviewing
1-17-92	Hickory Hollow Water Co.	Admin. Order/Penalty	WS	Hansen	Settlement offer to WS. Counter offer 7/13/93. Dept. response on 8/3/93. Facility response 8/11/93. 12/93 Dept. letter to attorney. Construction permit issued for fluoride removal. Facility to be installed by 10/30/94. Letter to attorney regarding appeal closure. Response requested by 6/2/96. 5/30/96 - Response received indicating compliance and requesting waiver of penalty. 9/30/96 Request for waiver of penalty denied. Facility attorney to submit new proposal.

1-30-92	Center Oil Co., Inc.	Admin. Order	HC	Murphy	Negotiating before filing.
4-09-92	Wayne Transports, Inc.	Admin. Order/Penalty	WW	Murphy	Negotiating before filing.
4-15-92	Mulgrew Oil Co.	Admin. Order/Penalty	HC	Wornson	Settlement letter sent 8/31/94. SCR completed. Low risk monitoring
4-24-92	Charles A. Kerr	Admin. Order/Penalty	UT	Wornson	Financial inability claimed. Warning letter sent 1/25/95. No
5-05-92	Plymouth Cooperative Oil Co.	Admin. Order/Penalty	WW	Murphy	Negotiating before filing.
5-12-92	Paris & Sons, Inc.	Site Registry	HC	Murphy	Negotiating before filing.
5-27-92	Beckett Chevrolet-Olds	Admin. Order	UT	Wornson	Financial inability claimed. Claimant completing financial
6-23-92	Chickasaw County Board of Supervisors, Chickasaw County Sanitary Landfill	Admin. Order/Penalty	SW	Kennedy	County to include closing in FY 1997 budget. Letter regarding budget sent 12/19/95. Letter regarding budget and work plan received 5/14/96.
8-06-92	Randy Bonin and Vickie Brannick	Admin. Order/Penalty	SW	Kennedy	Clean-up progress is slow. Appellant's attorney to reply by 8/1/96.
8-24-92	Dean Hoeness d/b/a Hoeness & Sons	Admin. Order/Penalty	UT	Wornson	Financial inability claimed. Insufficient documentation.
9-21-92	ITWC	Admin. Order/Penalty	AQ	Preziosi	Settlement close.
9-22-92	King's Terrace MHP	Admin. Order/Penalty	WW	Hansen	8/94-Letter to facility regarding resolution of appeal. Follow-up letter 3/96.
11-16-92	Frank Hulshizer	Admin. Order/Penalty	SW	Kennedy	Amended order issued 1/11/96.
12-14-92	Quantum	Permit Conditions	WW	Hansen	3/30/93 Dept. settlement offer made. 5/03/93 response from company. Company collecting data. Company response submitted 12/93. EPD to review information regarding permit calculations.
1-22-93	Pirelli Armstrong Tire Co.	Admin. Order/Penalty	SW	Kennedy	F.O. 5 to meet with company 2/26/96 regarding land application.
4-05-93	Mapleton, City of	WW Operator Certification	WW	Hansen	Under review by EPD. Appeal discussion with EPD staff.
4-12-93	LeMars, City of	Admin. Order/Penalty	WW	Hansen	Construction permit issued. Schedule submitted by City for remaining construction found unacceptable. Request for acceptable schedule - 1/31/96. Schedule received; under review by WW Permits.
4-19-93	Council Bluffs, City of	Permit Conditions	WW	Hansen	8/96 - Letter to City in attempt to resolve appeal. 10/96 - Response from City. 11/96 - Letter from City regarding appeal.

4-21-93	Donald Udell	Admin. Order/Penalty	SW	Kennedy	Clean-up completed. Penalty settlement due.
4-26-93	Crane Co.	Admin. Order/Penalty	SW	Kennedy	DNR engineers meeting with company.
6-21-93	Jacobs Energy Corp., Inc.	Permit Denial	AQ	Preziosi	Hearing continued.
7-06-93	Dennis E. Good	Admin. Order	UT	Wornson	1/25/96-Letter to parties regarding new UST Fund Innocent Owner Fund and requesting settlement conference.
7-28-93	Berniece K. Nease				
7-09-93	Oakwood Park Water, Inc.	Admin. Order/Penalty	WS	Hansen	Construction permit issued 2/94. Facility to be installed by 11/30/94. Letter to attorney regarding appeal resolution. Response requested by 6/2/96. 5/30/96 - Response received indicating compliance and requesting waiver of penalty. 9/30/96 Request for waiver of penalty denied. Facility attorney to submit new proposal.
7-20-93	Valley Restaurant/Sierp Oil; Mary & Carl Sierp; and Robert Radford	Admin. Order	UT	Wornson	Settlement expected. SCR submitted. Revision required under RBCA.
7-20-93	U.S. Dept. of Defense	Admin. Order/Penalty	UT	Wornson	SCRs on the site and several others in Sioux City under review..
8-03-93	Waldo Vannoy	Admin. Order	UT	Wornson	Compliance completed. Low-risk. Closure letter to be sent.
11-16-93	Iowa Southern Utilities	Permit Conditions	AQ	Preziosi	Awaiting summary of issues from attorney.
12-23-93	Waverly Gravel & Ready-Mix aka Shell Rock Sand	Admin. Order/Penalty	AQ	Preziosi	Negotiating penalty. Settlement close.
1-27-94	Archer-Daniels-Midland	Permit Conditions	AQ	Preziosi	Negotiating before filing.
2-14-94	Economy Solar Corp. (94AQ04)	Admin. Order/Penalty	AQ	Preziosi	Judicial review decision received in favor of DNR. No further appeal filed. Sent to AG for collection..
2-28-94	Coastal Mart - Davenport	Admin. Order/Penalty	UT	Wornson	Deficient SCR. Letter sent. Penalty on appeal.
3-03-94	Burlington Northern Railroad	Tax Certification	WW	Hansen	3/96 - Letter to company regarding appeal. Response requested by 4/30/96. 5/96 - Follow-up letter sent. Response requested by 6/28/96. Follow-up letter sent. Response from company that appeal is being reviewed.
3-08-94	Country Stores of Carroll, Ltd.; Elite Ltd.; Roger Kanne; James Pietig	Admin. Order/Penalty	UT	Wornson	All SCRs received. Proposal for compliance sent 8/13/96. Response due 11/15/96.
4-19-94	Galva Union Elevator Co.	Admin. Order/Penalty	UT	Wornson	Negotiating penalty.
5-10-94	Dennis Malone; Joanne Malone	Admin. Order/Penalty	UT	Wornson	Untimely appeal. No closure as of 2/96.

5-27-94	Joseph L. Ranker; Daryl Hollingsworth	Admin. Order/Penalty	UT	Wornson	Insurance to qualify for remedial benefits unpaid. Issued second Admin. Order for failure to have financial responsibility. Tanks closed.
6-15-94	Lakeview Heights	Permit Conditions	WS	Hansen	Facility proposal under review by WS. DNR response to appeal -
6-24-94	Larence Otto	Admin. Order/Penalty	UT	Wornson	SCR approved 2/1/96. Follow-up letter - 4/96.
7-07-94	Rose Bar Tire Shredding	Admin. Order	SW	Kennedy	In bankruptcy. 1/96 Working on fire lanes. Sold - limited
7-12-94	Tom Wiseman	Admin. Order/Penalty	UT	Wornson	Appeal untimely. Follow-up letter sent. Response due 9/96.
7-15-94	Village Oaks Homeowners	Admin. Order/Penalty	WS	Hansen	WS reviewed file for compliance. 2/96 - in compliance and eligible for reduced monitoring.
8-12-94	Karl and Thelma Boylan d/b/a Boylan's Service	Admin. Order/Penalty	UT	Wornson	Inability to pay. Failed to return required documentation. Follow-up letter -8/96.
8-29-94	B and B Tire and Oil	Admin. Order/Penalty	UT	Wornson	SCR accepted. Letter sent offering penalty negotiations 8/26/96. Free product report received 10/2/96.
9-01-94	Elmer R. Faust d/b/a Faust Garage & Grocery	Admin. Order/Penalty	UT	Wornson	SCR accepted - negotiating penalty.
9-02-94	Crabtree Lake Resort	Admin. Order/Penalty	WW	Hansen	Facility in compliance.
9-06-94	HEW, inc.	Admin. Order/Penalty	AQ	Preziosi	3/1/96 - Amended order to be issued.
9-09-94	American Coals Corp., Site 5 (Bussey)	Admin. Order/Penalty	SW/AQ	Kennedy	Bankruptcy filed. Phone conversation regarding
9-15-94	Bankston	Admin. Order/Penalty	WS	Hansen	1/95 - Information from City. Compliance initiated. Respond to City regarding settlement.
9-16-94	Wunschel Oil Co.; Vernus Wunschel; Jacquelyn Wunschel; Mark Wunschel (Ida Grove)	Admin. Order/Penalty	UT	Wornson	Consent order. SCR received. Revisions to SCR required - overdue. Follow-up letter sent 2/26/96. UST Fund conducting further assessment and free produce removal.
9-26-94	James D. Foust	Admin. Order/Penalty	SW	Kennedy	Settlement offer made 1/23/96. FO rejected offer.
10-07-94	Titan Wheel International	Admin. Order/Penalty	WW	Hansen	Revised BMR report submitted/reviewed by WW Permits. Letter to facility regarding
10-19-94	Ronald Sizemore; Mark Murphy	Admin. Order/Penalty	UT	Wornson	Inability to pay documented. County took tax deed. Contact regarding UST fund..
10-26-94	Boomsma's Inc.	Admin. Order/Penalty	AQ	Preziosi	Negotiating before filing.
10-31-94	Owens & Owens Realty, Inc.; Keith Owens; Howard	Admin. Order/Penalty	UT	Wornson	Proposed decision 10/5/95. Appealed 11/3/95. EPC confirmed 2/19/96. Decision appealed

	Maurer				3/29/96. District Court for judicial review.
11-14-94	Tom Babinat d/b/a Tom's Car Care	Admin. Order/Penalty	UT	Wornson	Inability to pay - request documentation.
11-28-94	Richard Beckett	Admin. Order/Penalty	UT	Wornson	Referral to UST Fund. Follow-up - 3/96.
12-14-94	Campbell Clean-Up Service	Permit Denial	AQ	Preziosi	Negotiating before filing.
1-10-95	Steamboat Rock	Admin. Order	WS	Hansen	2/95 - Settlement offer by City and response by Dept. 4/95 - Dept. letter to City regarding settlement. 5/95-construction approved by WS section for chlorination equipment. 1/17/96 - Letter to City regarding resolution of appeal. No response as of 2/28/96. Dept. follow-up letter - 3/96. Response from City 4/8/96. Amended order issued 8/30/96.
1-11-95	Henry and Randy Krohn d/b/a Krohn Construction	Admin. Order/Penalty	AQ/SW	Kennedy	Settlement offer made. FO rejected offer.
1-13-95	James and Roxann Neneman	Admin. Order/Penalty	UT	Wornson	Inability to pay. Forms sent. No response. Follow-up - 3/96.
1-13-95	Simonsen Industries, Inc.	Admin. Order/Penalty	WW	Hansen	2/28/95 - Submittal by facility's engineer regarding land application of sludge. Under review by WW permits staff.
2-23-95	Lehigh Portland Cement	Permit Conditions	WW	Hansen	Informal settlement meeting held on 6/96. Facility to provide status report regarding TSS permit limit by 9/20/96.
2-27-95	Sale-R-Villa Construction	Admin. Order/Penalty	AQ	Preziosi	Settlement meeting held 5/23/96. Facility to submit written proposal.
3-23-95	American Coals Corp.	Admin. Order	SW	Kennedy	In bankruptcy. Phone conversation 1/23/96 regarding reorganization.
4-13-95	The Weitz Corp.; Barton Solvents, Inc.	Admin. Order	HC	Kennedy	Remediation plan received 5/27/96.
4-19-95	Otis Schultz d/b/a Schultz Oil Co.	Admin. Order/Penalty	UT	Wornson	SCR accepted. Penalty settlement letter sent 8/26/96.
4-26-95	Larry Royer	Admin. Order/Penalty	WW	Clark	Draft consent order sent 11/5/96.
5-05-95	C & O Recycling Enterprises; Douglas W.	Permit Denial	AQ	Preziosi	Negotiating before filing.
5-25-95	Marty Feinberg d/b/a Feinberg Scrap Iron; Betty Feinberg; F & F Metals	Admin. Order/Penalty	HC/WW	Kennedy	Hearing set for 3/7/97. Clean-up continuing.
5-25-95	E.I. DuPont DeNemours (95-A-133)	Permit Conditions	AQ	Preziosi	Awaiting engineering evaluation.
5-30-95	Economy Solar Corp.; Jeffrey C. Intlekofer (95-	Admin. Order/Penalty	AQ	Preziosi	Order rescinded.
5-30-95	Earth Media Technologies	Admin. Order/Penalty	SW	Kennedy	In the process of clean-up.

5-31-95	E.I. DuPont DeNemours (91-A-266 thru 91-A-269)	Permit Conditions	AQ	Preziosi	Awaiting engineering evaluation.
6-07-95	Cumberland Ridge Homeowners	Admin. Order/Penalty	WS	Kennedy	Awaiting penalty payment - due 8/1/96.
6-09-95	Don Peterson d/b/a Peterson Backhoe	Admin. Order/Penalty	AQ	Preziosi	Settled. Awaiting final penalty payment.
6-16-95	Allison Fire Dept.; City of Allison	Admin. Order/Penalty	AQ	Preziosi	Awaiting penalty payment.
6-16-95	Pilot Oil Corporation	Admin. Order/Penalty	WW/UT	Murphy	Site clean-up proceeding.
6-20-95	Toledo, City of	Permit Conditions	WW	Hansen	WW permits to negotiate settlement. Status of negotiations requested 1/9/96.
6-23-95	Leonard C. Page	Admin. Order/Penalty	SW	Kennedy	Penalty settlement due 7/30/96.
6-29-95	White Oaks Homeowners Assn.	Admin. Order/Penalty	WS	Hansen	Informal meeting held 3/8/96. 4/25/96 follow-up letter to facility. 5/96 - Facility response received. Meeting held 6/96. Facility to provide signed agreement by 8/31/96 for new water source that meets MCL requirements.
7-03-95	Donald J. Foreman d/b/a D & R Feedlots	Admin. Order/Penalty	WW	Hansen	Negotiating before filing.
7-05-95	Boyer Valley Co.	Admin. Order/Penalty	WW	Hansen	Informal meeting held for 6/7/96. Response from facility due 6/28/96. Response received from facility
7-10-95	Donald Krieger	Admin. Order/Penalty	UT	Wornson	Tanks removed. Report due.
7-10-95	Gilbert Persinger	Admin. Order/Penalty	UT	Wornson	SCR received - rejected. Review progress - 4/96.
7-13-95	Organic Technologies Corp.	Admin. Order	SW	Kennedy	New Admin. Order issued
7-28-95	Harold T. Knott, James C.	Admin. Order	UT	Wornson	Negotiating before filing.
8-01-95	Wilbur McNear d/b/a McNear Oil Co.	Admin. Order/Penalty	UT	Wornson	SCR not received as of 2/29/96.
8-18-95	Holiday Mobile Lodge, Inc.	Admin. Order/Penalty	AQ/SW	Kennedy	Appellant's attorney reply due 2/29/96.
8-18-95	Redmond Enterprises, Inc.	Admin. Order	UT	Wornson	Compliance initiated.
8-24-95	Shell Rock Products, Inc.	Admin. Order/Penalty	AQ/SW	Kennedy	Settlement offer due 8/1/96.
9-06-95	Kraft Foods Inc.; Oscar Mayer Division	Variance Denial	WW	Hansen	Follow-up letter requesting information sent 1/12/96. Letter 2/19/96 granting additional time for information. 6/96 - additional information received by WS staff for review. 7/96 - Request for variance, as modified, granted. 8/96 - Construction permit for new well granted. 10/96 - Letter to engineer regarding dismissal of appeal.

9-20-95	FKI Industries, Inc.; Fairfield Aluminum, Inc.	Admin. Order	WW/HC	Murphy	Negotiating before filing.
10-09-95	E.L. Incorporated	Admin. Order/Penalty	SW	Kennedy	Appellant no longer accepting waste. Renewal permit may be
10-17-95	Tri-County Bank	Admin. Order/Penalty	AQ	Preziosi	Awaiting penalty payment.
10-17-95	Weber Construction, Inc.	Admin. Order/Penalty	AQ	Preziosi	Hearing continued. No new date set.
11-02-95	Salsbury Chemicals, Inc.	Permit Conditions	WW	Hansen	Informal meeting held 12/4/95. Company. response 1/26/96. Review by WW permits completed 3/21/96. 6/96 - letter received from company regarding appeal. Letter to company attorney regarding appeal 8/5/96. 9/96 Letter sent regarding settlement. 10/96 - Settlement offer sent to company attorney. Revised permit to be issued. Settled.
11-03-95	Jack Pinney Operations, Inc. aka Jack Pinney	Admin. Order/Penalty	AQ	Preziosi	Settlement close.
11-14-95	Mike Barker	GW Professional	UT	Wornson	Settlement negotiations underway.
11-21-95	Gary Watson	Admin. Order/Penalty	WW	Clark	Negotiating before filing.
12-12-95	Vernon Kinsinger, K & K Sanitation	Admin. Order/Penalty	AQ/SW	Kennedy	Informal meeting held.
12-13-95	Roy Burger	Admin. Order/Penalty	UT	Wornson	Compliance complete - negotiating penalty.
12-27-95	Ag Processing, Inc.	Permit Denial	AQ	Preziosi	Negotiating before filing.
12-28-95	Site Services, Ltd.	Admin. Order/Penalty	AQ	Preziosi	Negotiating before filing.
12-29-95	Spencer Memorial Hospital	Admin. Order/Penalty	AQ	Preziosi	Negotiating before filing.
1-04-96	Catherine E. Meredith	Admin. Order	UT	Wornson	Current owner to complete SCR.
1-04-96	Massena, City of	Admin. Order/Penalty	WW	Clark	Settled 11/20/96. Penalty due 12/15/96.
1-08-96	Westside Park for Mobile Homes	Admin. Order/Penalty	WW	Hansen	Past due monthly monitoring reports submitted to FO 6. Facility inspection 2/28/96 by FO 6/.
1-11-96	Climax Molybdenum Company	Admin. Order/Penalty	AQ/HC	Preziosi	Negotiating before filing.
1-12-96	Clarence, City of	Admin. Order/Penalty	WW	Hansen	1/96 - Facility inspected by FO 6. 9/96 letter from facility attorney stating construction completed.
1-17-96	All-States Quality Foods, L.P.	Admin. Order/Penalty	WW	Murphy	Settlement offer 6/26/96.
1-19-96	Bill Shirbroun d/b/a Was Broken Pallet	Admin. Order/Penalty	AQ/SW	Kennedy	Negotiating before filing.

1-22-96	Daryl Hollingsworth and Karen Hollingsworth d/b/a	Admin. Order/Penalty	UT	Wornson	Negotiating before filing.
1-24-96	Jolly Roger Campground	Admin. Order/Penalty	WW	Clark	Negotiating before filing.
1-25-96	Hidden Valley Mobile Home Park	Admin. Order/Penalty	WW	Clark	Negotiating before filing.
1-25-96	Markley Knock d/b/a Knock's Building Supply	Admin. Order/Penalty	AQ/SW	Kennedy	Phone conference with attorney regarding settlement - due 5/30/96.
1-30-96	Dean Williams d/b/a Williams Oil Co.	Admin. Order/Penalty	UT	Wornson	Compliance initiated.
2-06-96	Russell Stagg	Admin. Order/Penalty	AQ/SW	Kennedy	Negotiating before filing.
3-04-96	Edward Bodensteiner	Admin. Order/Penalty	UT	Wornson	Hearing held 11/7/96. Brief submitted.
3-11-96	Dallas County Care Facility	Admin. Order/Penalty	WW	Hansen	Facility inspection to be scheduled by FO.
3-11-96	Marlin Brennehan	Admin. Order/Penalty	WW	Clark	Negotiating before filing.
3-14-96	Laurel, City of	Admin. Order	WW	Hansen	Information submitted by city under review by WQ section..
3-14-96	Lamoni, City of	Admin. Order	WW	Hansen	Negotiating before filing.
3-19-96	Obie's West	Admin. Order	WS	Hansen	Under review by WS section.
3-22-96	Mt. Joy Mobile Home Park	Admin. Order/Penalty	WW	Hansen	3/25/96 Inspection by FO 6. Facility in compliance.
3-26-96	Louisa-Muscatine Community School	Admin. Order/Penalty	WS	Hansen	Negotiating before filing.
4-19-96	C & I Eggs	Admin. Order/Penalty	WW	Clark	Negotiating before filing.
5-07-96	Lakeview Mobile Home Park	Admin. Order/Penalty	WW	Hansen	6/20/96 - informal meeting held. Facility to provide settlement offer by 7/15/96. Settlement offer received from facility - under review.
5-08-96	Vermeer Mfg. Co. (96AQ06)	Admin. Order/Penalty	AQ	Preziosi	Drafting consent order.
5-14-96	Gary Lee Walker	Admin. Order/Penalty	AQ/SW	Kennedy	Negotiating before filing.
5-16-96	Grand Laboratories, Inc.	Permit Denial	WW	Hansen	Negotiating before filing.
5-29-96	Champion Intl. Corp.	Permit Denial	AQ	Preziosi	Negotiating before filing.
5-29-96	Haasco, Ltd.	Admin. Order/Penalty	AQ	Preziosi	Negotiating before filing.
6-07-96	Clow Valve Company	Permit Conditions	AQ	Preziosi	Negotiating before filing.
6-07-96	Koehring Cranes, Inc.	Open Burning Variance Denial	AQ	Preziosi	Negotiating before filing.
6-10-96	DeCoster Farms of Iowa (19	Admin. Order	WW	Clark	Proposed decision 11/25/96.
6-10-96	DeCoster Farms of Iowa (5	Permit Denial	WR	Clark	Proposed decision 11/25/96.

6-17-96	Winsor Oil Co., Inc. ; Joyce Winsor	Admin. Order/Penalty	UT	Wornson	Hearing set for 10/28/96. Compliance initiated..
6-19-96	Appanoose Co. Sanitary Landfill	Permit Modification	SW	Kennedy	Negotiating before filing.
6-25-96	Bernie Brauns d/b/a Brauns Waste Mgmt. & Excavating	Admin. Order/Penalty	AQ/SW	Kennedy	Negotiating before filing.
7-08-96	Becker Gravel Co., Inc.	Admin. Order/Penalty	WW/FP	Clark	Negotiating before filing.
7-11-96	Ron Rupe	Admin. Order/Penalty	SW	Kennedy	Negotiating before filing.
7/17/96	Richard L. Magdefrau	Admin. Order/Penalty	AQ/SW	Kennedy	Negotiating before filing.
8/01/96	DeCoster Farms of Iowa (Nursery Unit 7 - Wright)	Permit Denial	WW	Clark	Proposed decision 11/25/96.
8/01/96	DeCoster Farms of Iowa (Boomsma Egg Site #1)	Admin. Order/Penalty	WW	Clark	Hearing continued - date to be set.
8/02/96	Gene Hammen d/b/a Maple Grove Hog Producers	Permit Denial	WW	Clark	Hearing held 9/23/96.
8/09/96	Gene and Margaret Palmersheim d/b/a G & M	Admin. Order/Penalty	UT	Wornson	Negotiating before filing.
8/19/96	Capitol Oil Co., Inc. d/b/a Dakota Mobile Home Park	Admin. Order/Penalty	WW	Clark	Negotiating before filing.
8/23/96	Waste Management & Design (Monfort)	Admin., Order/Penalty	WW/SW	Kennedy	Settlement pending.
8/30/96	Howard Victor & Wanda Victor	Admin. Order/Penalty	UT	Wornson	Closed facility. Negotiating penalty.
8/30/96	LeRoy E. Navratil	Admin. Order/Penalty	AQ/SW	Kennedy	Negotiating before filing.
9/04/96	Ag Processing, Inc./Sheldon Facility	Permit Denial	AQ	Preziosi	Negotiating before filing.
9/24/96	North Star Steel Iowa	Permit Denial	AQ	Preziosi	Negotiating before filing.
9/26/96	Richard Sprague	Admin. Order/Penalty	AQ/SW	Kennedy	Penalty payment of \$2,000 received 11/1/96. Settled..
10/04/96	Osborne Outdoor Education Center	Admin. Order	WS	Hansen	Negotiating before filing..
10/11/96	DeCoster Farms of Iowa (96-WW-32).	Admin. Order	WW	Clark	Hearing set for 12/10/96.
10/17/96	DeCoster Farms of Iowa (Nursery Unit 3 - Wright)	Permit Revocation	WW	Clark	Hearing set for 1/6/97.
10/28/96	Fischer Controls International	Permit Conditions	WW	Hansen	Negotiating before filing.
11/01/96	Joseph Barragy and Tom Barroy d/b/a J & M	Admin. Order/Penalty	AQ/SW	Kennedy	New case.
11/05/96	Marvin Low d/b/a Low's DX	Admin. Order/Penalty	UT	Wornson	New case. Tanks temporarily closed. Negotiating penalty.
11/07/96	Don Ridenour	Admin. Order/Penalty	WW	Clark	New case.
11/07/96	Todd L. Salow	Admin. Order/Penalty	AQ/SW	Kennedy	New case.

11/08/96	Caseys General Stores, Inc.	Mean Time to Corrosion	UT	Wornson	New case. Request for informal settlement.
11/08/96	Carroll, City of	Admin. Order/Penalty	WS	Hansen	New case.

Mr. Stokes reviewed the monthly reports. He noted that the department is still waiting to hear from EPA on the Retroactive Permit Exemption Rule and they are not inclined to approve it at this time. He related that it may take until this time next year for EPA to thrash out that issue. He added that he recently met with Dennis Grams, Bill Rice and Art Spratlin, and Mr. Grams will look into the issue and should be able to give a definitive answer between now and this time next year.

Discussion followed regarding several cases on the enforcement report; eligibility for grants/funds if an applicant is not in compliance; and ways to collect past due fines.

Washburn Waste Water Treatment System Update

Mr. Stokes distributed copies of the following December 11 status update on the Washburn Waste Water Treatment Project.

The Black Hawk County Board of Supervisors has satisfied the special conditions contained in the July 16, 1996 amendment to the NPDES permit. The required written report addressing alternatives for the discharge of treated effluent from the proposed waste stabilization lagoon and discussing potential water quality impacts of each discharge alternative on Thiry lake was submitted to the department on August 7, 1996.

The County has awarded the contract for the construction of the proposed waste stabilization lagoon.

The notice to proceed from the US Economic Development Agency (EDA) was received. The contractor began construction of the proposed waste stabilization lagoon. The initial work consisted of erecting the EDA project sign and fence removal. Further work has been suspended until Spring when more favorable weather arrives.

The County has done a land survey of the site for the constructed wetland proposed in its July 31, 1996 report. The county has determined that the existing wetland area identified in its July 31, 1996 report is located within the Cedar River flood plain and also receives uncontrolled, direct surface runoff from the upstream watershed. The County believes this could adversely effect the effectiveness of the proposed enlarged wetland by long term sedimentation or by short-circuiting of the lagoon effluent discharge during periods of high water from the Cedar River and /or upstream watershed. The county is therefore presently evaluating additional sites for the proposed wetland. These sites would be located out of the flood plain in areas where surface runoff may be completely controlled around the wetland. The County is getting assistance from Professors Vander Valk and Crumpton from Iowa State University on the development of the proposed wetland.

The County is considering sizing the proposed wetland to contain the discharge from the lagoon in the Spring, so that it will be necessary to discharge to the stream only once per year.

The county expects to complete its evaluation of alternative sites for the proposed wetland within one month.

The County has yet to apply for the Section 404 Permit from the US Army Corps of Engineers for the alteration of any existing wetlands. A Section 404 Permit application may not be necessary should the county construct a wetland and not use an existing wetland.

The county has yet to apply for a construction permit from the Department of Natural Resources for the construction of the outfall pipe from the proposed waste stabilization lagoon to the constructed wetland because it is evaluating alternative sites for the proposed wetland.

Verlon Britt asked when would be the earliest they could discharge if continuing under the present construction schedule.

Mr. Stokes responed that the earliest would probably be about a year from now.

PUBLIC PARTICIPATION

Chairperson King announced public participation at 10:30 a.m.; no one requested to speak.

AIR QUALITY PROGRAM STATUS UPDATE

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

The Commission will be given an update on various issues relative to the Air Quality Program. These will include a staffing update, budget update, update on implementation of the file imaging system, update on status of move to Ingram Building, rule development update and other programmatic issues.

The Commission will be provided written update information under separate cover prior to the Commission meeting.

Mr. Stokes reviewed details of the air program covering the recent Client Group Meeting; Staffing Report for December 1996; Budget Expenditures YTD; Waiver to use fees to match federal grants; Rulemaking Summary; Imaging Project Update; and Record of Air Quality Staff Visits. Mr. Stokes discussed permit turnaround time, construction permit forms, communications audit for EPD, Title V permitting, and customer service training for the entire EPD staff. He noted that the imaging project is on schedule and he will make a presentation on the imaging system when it is completely running.

William Ehm commented that when he first came on the Commission there was a definite feeling of antagonism between the department and the people they serve, and it is pleasing to see the department cut the wasteful steps that prolonged permitting and look at ways to communicate with the people in a way they do not feel threatened.

INFORMATIONAL ONLY

PUBLIC PARTICIPATION

Chairperson King stated that she received a request to speak even though it is past the 10:30 a.m. public participation period and asked if the Commission wishes to grant that request.

Consensus of the Commission was to let the individual speak.

Regina Thiry (Washburn waste water treatment plant)

Regina Thiry, Waterloo, stated that she had a good meeting with Director Wilson earlier in the day, but she has concerns about the quality of the water once the project is completed. She discussed the 180 day storage capacity of the lagoon. She asked that occasional monitoring of the wetland be done to be certain the water is clean. She also asked that the third cell of the lagoon system be tested as it has never been done. Mrs. Thiry expressed concern that the county has not moved forward with the wetland and related that she has not seen a wetlands plan. She related that she was told if she wants monitoring to be done she would have to do it on her own.

Terrance Townsend commented that he thought the storage capacity of 180 days was for the wetland.

Mr. Stokes stated that he will give a presentation next month on wastewater treatment in general.

SECTION 319 NONPOINT SOURCE POLLUTION CONTROL PROJECT CONTRACTS

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

Commission approval is requested for three contracts with the Department of Agriculture and Land Stewardship, Division of Soil Conservation (DSC), for nonpoint source (NPS) pollution control projects. The contracts are for the January through September '97 activities of multi-year NPS projects. Funds for the contracts will be from EPA Section 319 grants awarded to the Department specifically for these projects. Funding from other state and federal programs will also be used to support activities in of these projects.

The contracts are for the following three projects. The contract amounts and locations are also listed:

- **Trout Run Water Quality Project, \$67,000, Winneshiek County**
- **Hickory Creek Water Quality Project, \$33,000, Allamakee County**
- **Battle Creek Watershed Groundwater Protection Project, \$46,000, Ida County**

The Trout Run and Hickory Creek projects are projects to protect and improve the water quality of the indicated streams. Protection of the streams will be accomplished by reducing sedimentation from erosion of cropland and streambanks and nutrient loading from commercial fertilizer and animal waste in the streams' watersheds. Contract funds will be used to support project coordinators or other project staff and to provide financial incentives for best management practices including nutrient and pest management programs, streambank stabilization, and pasture and hayland management. In addition, groundwater and surface water monitoring will be conducted as part of the Trout Run Water Quality Project.

The Battle Creek project will protect and improve shallow groundwater and well water resources within the Battle Creek basin that are impacted by agricultural nonpoint source pollutants. The project will provide information and technical assistance on well site protection, well structure and septic system renovations, nutrient and pest management, and manure management. Contract funds will be used to support a project coordinator and to support the information/education component of the project.

Mr. Stokes reviewed details of the contracts.

Motion was made by Terrance Townsend to approve the Section 319 Nonpoint Source Pollution Control Project Contracts as presented. Seconded by Verlon Britt. Motion carried unanimously.

Gary Priebe stated that he heard there is a new ASCS project in southern Iowa which requires the fencing of all creeks so cattle have no access to them. He related that they have to do that in Missouri.

Mr. Stokes stated that he is not aware of any program like that but he will check to see what Missouri is doing and will give an update to the Commission next month. Mr. Stokes related that in NE Iowa near the trout streams there is an effort to get people to voluntarily fence to keep the animals out of the streams.

APPROVED AS PRESENTED

PRIVATEWELL SAMPLING AND ABANDONMENT GRANTS TO COUNTIES - FY 98

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

The Commission will be asked to approve grants to 97 counties for well testing, abandonment and rehabilitation for SFY98. Grants will be **\$30,000.00** per county for a total of **\$2,910,000**. These figures are based on the current unobligated balance in the Groundwater Fund agricultural management account and additional receipt of funds expected before the end of the fiscal year. This grant amount was raised slightly from SFY97 when the combined grant amounts totaled \$29,000 per county.

Ninety seven applications were received for the grant program. No application was determined to be ineligible. Deviations from the actual grant amounts may vary based on the actual final numbers of wells tested, plugged or renovated by each county. Final payment will be determined by actual performance. Based on action of the 1995 Iowa Legislature (Senate File 215), a program for private water well rehabilitation has been established and private water well testing, rehabilitation, and closure combined into a single grant, effective in State Fiscal Year 1997.

The list of counties to receive grants is attached.

COUNTY NAME	DESIGNATED AGENT	Well Plugging					Grant
		FY93	FY94	FY95	FY96	FY97	FY98 (received)
Adair	1 Steve Patterson	X	X	X	X	X	X
Adams	2 Eldon Rike, P E	X	X	X	X	X	X
Allamakee	3 Laurie Moody	X	X	X	X	X	X
Appanoose	4 Bill Milani	X	X	X	X	X	X
Audubon	5 Steve Patterson	X	X	X	X	X	X
Benton	6 Marc Greenlee	X	X	X	X	X	X
Black Hawk	7 Mark Linda	X	X	X	X	X	X
Boone	8 John Munson	X	X	X	X	X	X
Bremer	9 Doug Bird	X	X	X	X	X	X
Buchanan	10 Ed Fitzgerald, P E	X	X	X	X	X	X
Buena Vista	11 Kim Johnson	X	X	X	X	X	X
Butler	12 Steve Busse	X	X	X	X	X	X
Calhoun	13 Keith Roos	X	X	X	X	X	X
Carroll	14 Carl Wilburn	X	X	X	X	X	X
Cass	15 Steve Patterson	X	X	X	X	X	X
Cedar	16 Phil LaRue	X	X	X	X	X	X
Cerro Gordo	17 Ron Osterholm	X	X	X	X	X	X
Cherokee	18 Dean Shaffer	X	X	X	X	X	X
Chickasaw	19 Ken Rasing	X	X	X	X	X	X
Clarke	20 Allan Mathias				X	X	X

Clay	21	R.K. Clark	X	X	X	X	X	X
Clayton	22	Steve Helfer	X	X	X	X	X	X
Clinton	23	Bob Summers	X	X	X	X	X	X
Crawford	24	Carl Wilburn	X	X	X	X	X	X
Dallas	25	Terry Brooks				X	X	X
Davis	26	Donnie Herteen	X	X	X	X	X	X
Decatur	27	Linda Rouse					X	X
Delaware	28	Dorance Oehier	X	X	X	X	X	X
Des Moines	29	Barb Baker	X	X	X	X	X	X
Dickinson	30	David Kohlhasse	X	X	X	X	X	X
Dubuque	31	Dr. Paul Buss	X	X	X	X	X	X
Emmet	32	Terry Reekers	X	X	X	X	X	X
Fayette	33	Lyle Jackson	X	X	X	X	X	X
Floyd	34	Mike Milligan	X	X	X	X	X	X
Franklin	35	Kermit Voy	X	X	X	X	X	X
Fremont	36	Charles Marker						NP
Greene	37	Tim Healy	X	X	X	X	X	X
Grundy	38	Sandra Harms	X	X	X	X	X	X
Guthrie	39	Steve Patterson	X	X	X	X	X	X
Hamilton	40	Amy Ratcliff	X	X	X	X	X	X
Hancock	41	Jack Bradley	X	X	X	X	X	X
Hardin	42	John Stonebraker, P.E.	X	X	X	X	X	X
Harrison	43	Lowell Clark	X	X	X	X	X	X
Henry	44	Jelen Remick	X	X	X	X	X	X
Howard	45	Tom Andersen, P.E.	X	X	X	X	X	X
Humboldt	46	Daryl Enfield	X	X	X	X	X	X
Ida	47	Richard Madsen	X	X	X	X	X	X
Iowa	48	Richard Heller	X	X	X	X	X	X
Jackson	49	Troy Jacobsen	X	X	X	X	X	X
Jasper	50	Steve Hopkins	X	X	X	X	X	X
Jefferson	51	Richard Barnes	X	X	X	X	X	X
Johnson	52	Kat Flora	X	X	X	X	X	X
Jones	53	Diane Casper	X	X	X	X	X	X
Keokuk	54	Chris Collicott, P.E.	X	X	X	X	X	X
Kossuth	55	Jack Bradley	X	X	X	X	X	X
Lee	56	Debbie Foecke	X	X	X	X	X	X
Linn	57	Tom Hart	X	X	X	X	X	X
Louisa	58	Ron Johnston	X	X	X		X	X
Lucas	59	Jeanine K. Walters	X	X	X	X	X	X
Lyon	60	Jeff Williams, P.E.	X	X	X	X	X	X
Madison	61	David Oldham	X	X	X	X	X	X
Mahaska	62	Dennis Luebbe	X	X	X	X	X	X
Marion	63	John McCoy	X	X	X	X	X	X
Marshall	64	John Kunc	X	X	X	X	X	X

Mills	65	Sheri Bowen	X	X	X	X	X	X
Mitchell	66	R/S Consultants	X	X	X	X	X	X
Monona	67	Jennifer Samson	X	X	X	X	X	X
Monroe	68	Donnie Herteen		X	X	X	X	X
Montgomery	69	Dave McFarland	X	X	X	X	X	X
Muscatine	70	Verne Fuegen	X	X	X	X	X	X
O'Brien	71	Donna VanderVeen	X	X	X	X	X	X
Osceola	72	Thomas Snyder, P.E.	X	X	X	X	X	X
Page	73	Boots Elliott	X	X	X	X	X	X
Palo Alto	74	Denny Barrick	X	X	X	X	X	X
Plymouth	75	Gordon Greene	X	X	X	X	X	X
Pocahontas	76	Scott Phillips	X	X	X	X	X	X
Polk	77	Bobby Baker					X	X
Pottawattamie	78	Kay Mocha	X	X	X	X	X	X
Poweshiek	79	Preston Shaw	X	X	X	X	X	X
Ringgold	80	John McFarland	X					NP
Sac	81	Chuck Bettin	X	X	X	X	X	X
Scott	82	Larry Linnerbrink	X	X	X	X	X	X
Shelby	83	Joseph Stroehrer	X	X	X	X	X	X
Sioux	84	Doug Julius	X	X	X	X	X	X
Story	85	Don Nolting	X	X	X	X	X	X
Tama	86	Dr. Robert Ketter	X	X	X	X	X	X
Taylor	87	Jim DeLozier, P.E.	X	X	X	X	X	X
Union	88	John Franklin	X	X	X	X	X	X
Van Buren	89	Jim Laughlin	X	X	X	X	X	X
Wapello	90	Tina Orman	X	X	X	X	X	X
Warren	91	Larry Gittins	X	X	X	X	X	X
Washington	92	Tom Newton	X	X	X	X	X	X
Wayne	93	Don Petty	X	X	X	X	X	X
Webster	94	Gary Boerner	X	X	X	X	X	X
Winnebago	95	Jack Bradley	X	X	X	X	X	X
Winneshiek	96	Ron Fairchild	X	X	X	X	X	X
Woodbury	97	Charles Cipperley	X	X	X	X	X	X
Worth	98	Al Venz	X	X	X	X	X	X
Wright	99	Sid Swenson	X	X	X	X	X	X

Mr. Stokes reviewed the list of counties to receive grants noting that Fremont and Ringgold counties chose not to participate.

Chairperson King asked how many wells in the state remain to be closed.

Mr. Stokes distributed copies of a report showing the number of abandoned wells plugged each year since the beginning of the program, along with a map showing the numbers by county.

Motion was made by Charlotte Mohr to approve the Private Well Sampling and Abandonment Grants to Counties for FY 98. Seconded by Verlon Britt.

Rita Venner commented that until a farmer sells land the wells are not reported, so there is a tremendous amount of unreported wells remaining in the state. Discussion followed regarding cost-share and that a county cannot pay over \$200 per well.

Vote on the motion carried unanimously.

APPROVED AS PRESENTED

FINAL RULE--CHAPTER 135, UNDERGROUND STORAGE TANKS - RISK BASED CORRECTIVE ACTION

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

The Commission will be asked to adopt the attached amendments to Chapter 135. The amendments incorporate policies and procedures for applying "risk based corrective action" for evaluating petroleum contamination and determining a corrective action response. These amendments were adopted and filed emergency at the June 17, 1996 commission meeting. The rules were also filed for Notice of Intended Action to allow for additional public comment.

The rules have been changed based on public comments received. The technical advisory committee has reviewed and approved the proposed changes.

(A copy of the rules and public comment is on file in the department's Records Center)

Mr. Stokes reviewed that the Commission has had several presentations, by Keith Bridson, on the RBCA rules. He discussed the rules, comments and responsiveness summary.

Motion was made by Verlon Britt to approve Final Rule--Chapter 135, Underground Storage Tanks - Risk Based Corrective Action. Seconded by Dean McWilliams.

Discussion followed regarding "immediate recovery" relating to free product assessment under Item 3, and removing free product to the maximum extent possible.

Chairperson King asked about the department's response to the letter from Petroleum Marketers relating to "no further action" and bringing more finality to the closure.

Keith Bridson stated that the Code states the department cannot go back and require further action at a site in the case where we have changed our standard. For example, the department

cannot make a more stringent standard next year then say someone has to go back in for further action. He noted that there were some differences on this issue between the department and a few of the UST-TAC committee members as to whether or not we should be limited further than the Code already limits. He added that these regulations do not limit anymore than the Code already limits.

Vote on Commissioner Britt's motion to approve the rules carried unanimously.

APPROVED AS PRESENTED

APPROVAL OF ENFORCEMENT ACTION - HENNINGS FARM CORP.

Mike Murphy, Bureau Chief, Compliance and Enforcement Bureau, presented the following item.

The Commission is requested to approve an enforcement action relating to an animal feeding operation. Iowa Code section 455B.110 [1995 Code Supp.] provides that we may not initiate an enforcement action relating to animal feeding operations, seeking a penalty in excess of \$3,000.00 unless the Environmental Protection Commission has approved the intended action. A proposed Consent Administrative Order and a letter dated October 8, 1996, relating to an August 12, 1996, discharge of cattle manure, have been provided to the Commission. These documents explain the background of this matter. The Director and Hennings Farm Corp. have agreed to resolve this matter through a Consent Administrative Order including a penalty of \$5,000 and requiring restitution of \$286.38 for fish killed in the incident.

Mike Murphy briefed the Commission on this case involving manure discharge that caused a fish kill. He explained the need to get the Commission's approval on penalties in excess of \$3,000 when it deals with animal feeding operations. He noted that a consent decree has been signed by both parties in this case and they are in agreement with the penalty.

Dean McWilliams asked if this is the second time that a discharge has taken place at this facility.

Mr. Murphy replied that they had one prior Administrative Order.

Motion was made by Rita Venner to approve the Enforcement Action Against Hennings Farm Corp. Seconded by William Ehm. Motion carried unanimously.

William Ehm asked if it would be appropriate to grant unilateral permission for staff to go ahead in these types of cases, in order to eliminate the dual role of the Commission acting as both judge and jury. He added that, on the other hand, he does not want to thwart the intent of the legislation.

Mr. Murphy stated that during the legislation process staff provided comments that there could be a problem since the Commission would be the body to approve the fine, then come back and hear the appeal.

Director Wilson stated that there could be a problem with legislative intent on granting blanket approval.

Gary Priebe stated that he would have trouble giving staff blanket approval since the law intended for Commission review.

APPROVED AS PRESENTED

PROPOSED CONTESTED CASE DECISION--A.J. DECOSTER

Mike Murphy, Bureau Chief, Compliance and Enforcement Bureau, presented the following item.

On May 16, 1996, the department issued Administrative Order No. 96-WW-23 to Austin J. DeCoster, d/b/a DeCoster Farms of Iowa. That action required him to conduct new engineering reviews and submit manure management plans, to perform permeability testing and recertify permeability, and to investigate for drainage tiles and sand seams, at nineteen swine confinement facilities. On May 17, 1996, the department denied five applications for water use permits. On July 5, 1996, the department denied a request for approval to construct additional manure storage facilities at two facilities. Those actions were appealed by DeCoster, and the matters were consolidated and proceeded to administrative hearing on October 2, 3, and 4, 1996. The Administrative Law Judge issued a Proposed Decision on November 25, 1996. The decision affirms the department's actions.

Either party may appeal the Proposed Decision to the Commission. In the absence of an appeal, the Commission may decide on its own motion to review the Proposed Decision. If there is no appeal or review of the Proposed Decision, it automatically becomes the final decision of the Commission.

Mr. Murphy briefed the Commission on the history of this case noting that the department has not yet received an appeal.

The Commission took no action; this has the effect of upholding the ALJ decision in the absence of an appeal.

ALJ DECISION UPHELD

REFERRALS TO THE ATTORNEY GENERAL

Mike Murphy, Bureau Chief, Compliance and Enforcement Bureau, presented the following item.

The Director requests the referral of the following to the Attorney General for appropriate legal action. Litigation reports have been provided to the commissioners and are confidential pursuant to Iowa Code section 22.7(4). The parties have been informed of this action and may appear to discuss this matter. If the Commission needs to discuss strategy with counsel on any matter where the disclosure of matters discussed would be likely to prejudice or disadvantage its position in litigation, the Commission may go into closed session pursuant to Iowa Code section 21.5(1)(c).

- a. City of Lenox - wastewater (Tabled)
- b. Orville Long (Des Moines) - penalty collection (Tabled)

City of Lenox

Mr. Murphy noted that this case was tabled at a previous meeting.

Motion was made by Terrance Townsend to remove the City of Lenox referral from the table. Seconded by William Ehm. Motion carried unanimously.

Mr. Murphy stated that staff have been working with the City on a Consent Administrative Order and the only issue remaining on the order is some clarification as to how the penalty language will be interpreted. He related that it can probably be worked out but would ask for another 30 day delay. He noted that he has agreed on delaying the matter for 30 days contingent on the clarification of penalty language being the only issue to be handled.

Motion was made by William Ehm to table the City of Lenox referral until the January meeting. Seconded by Rita Venner. Motion carried unanimously.

REFERRAL TABLED

Orville Long

Mr. Murphy noted that this case was also tabled at a previous meeting.

Motion was made by Charlotte Mohr to remove the Orville Long referral from the table. Seconded by Terrance Townsend. Motion carried unanimously.

Mr. Murphy stated that the department received a proposal from Mr. Long regarding payment of the penalty on a schedule, and staff is satisfied with the proposal and will withdraw the referral at this time.

REFERRAL WITHDRAWN

GENERAL DISCUSSION

- Director Wilson reported that he spoke with Chris Atchison, Director of Public Health, and has agreed that rather than having a meeting with both of the full commissions it might work well to have 2-3 representatives from each Commission meet to discuss topics of mutual interest. Following discussion the Commission decided to try to get together on Wednesday, January 22, following the EPC legislative breakfast. Charlotte Mohr, Rita Venner and Rozanne King volunteered to represent the Commission.
- Discussion took place on the Washburn wastewater treatment system and the 180 days time frame on discharging the lagoon.

Rita Venner stated that the Breda city lagoon is released in the fall and it raises the water level in the creek that runs through her property, but there has never been a problem or controversy as to any contamination.

- Charlotte Mohr commented that Scott County had some good press coverage on the special deer hunt to reduce the deer population. Discussion followed on problems with overpopulation of deer.

Director Wilson briefed the Commission on the the legislative breakfast to be held next month and noted that the letters of invitation are being mailed this week. He commented that, as the year ends, he and staff have enjoyed working with the Commission over the past year and are looking forward to 1997. He related that he appreciates the acknowledgement of progress and improvements that have been made within the agency, adding that key to the department's good performance is the Commission's good performance. He added that he appreciates the Commission's support.

ADDRESS ITEMS FOR NEXT MEETING

Presentation on wastewater treatment program in general

NEXT MEETING DATES

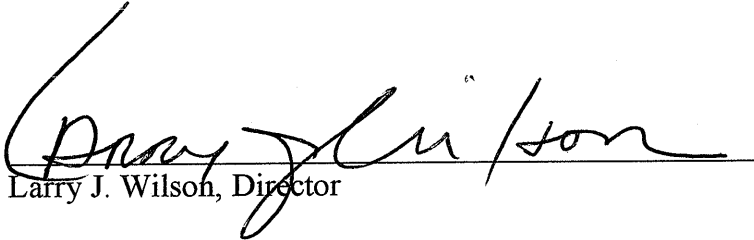
January 21, 1997(Tuesday)

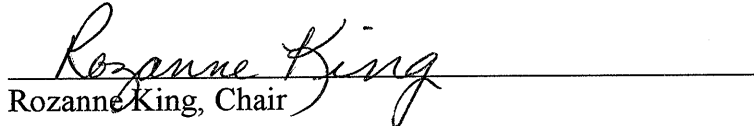
February 17, 1997

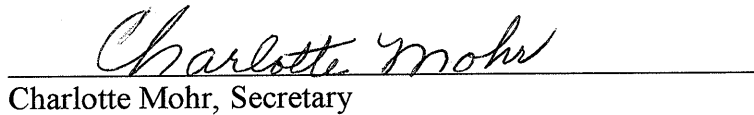
March 17, 1997

ADJOURNMENT

With no further business to come before the Environmental Protection Commission, Chairperson King adjourned the meeting at 1:40 p.m., Monday, December 16, 1996.


Larry J. Wilson, Director


Rozanne King, Chair


Charlotte Mohr, Secretary

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